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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Report of the Third Committee**

Rapporteur: Mrs. Cécile **Mballa Eyenga** (Cameroon)

I. Introduction

1. At its 2nd plenary meeting, on 16 September 2016, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-first session, under the item entitled "Promotion and protection of human rights", the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms" and to allocate it to the Third Committee.

2. The Third Committee considered the sub-item jointly with sub-item 68 (c), "Human rights situations and reports of special rapporteurs and representatives", at its 22nd to 35th meetings, from 19 to 21 and from 24 to 28 October 2016. The Committee held a general discussion on the sub-item at its 36th to 38th meetings, on 28 and 31 October, and considered proposals and took action under sub-item 68 (b) at its 46th to 48th, 50th to 52nd, 54th and 56th meetings, on 8, 10, 15, 17, 18, 21 and 22 November. An account of the Committee's consideration is contained in the relevant summary records.[1]

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** The report of the Committee on this item is being issued in five parts, under the symbols A/71/484, A/71/484/Add.1, A/71/484/Add.2, A/71/484/Add.3 and A/71/484/Add.4.

[1] See A/C.3/71/SR.22, A/C.3/71/SR.23, A/C.3/71/SR.24, A/C.3/71/SR.25, A/C.3/71/SR.26, A/C.3/71/SR.27, A/C.3/71/SR.28, A/C.3/71/SR.29, A/C.3/71/SR.30, A/C.3/71/SR.31, A/C.3/71/SR.32, A/C.3/71/SR.33, A/C.3/71/SR.34, A/C.3/71/SR.35, A/C.3/71/SR.36, A/C.3/71/SR.37, A/C.3/71/SR.38, A/C.3/71/SR.46, A/C.3/71/SR.47, A/C.3/71/SR.48, A/C.3/71/SR.50, A/C.3/71/SR.51, A/C.3/71/SR.52, A/C.3/71/SR.54 and A/C.3/71/SR.56.

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3. For the documents before the Committee under this sub-item, see A/71/484.

4. At the 22nd meeting, on 19 October, the United Nations High Commissioner for Human Rights made an introductory statement and responded to the questions posed and comments made by the representatives of the United States of America, China, the Islamic Republic of Iran, Eritrea, Ireland, Colombia, Belarus, Brazil, Canada, Romania, the Russian Federation, Indonesia, Japan, the United Kingdom of Great Britain and Northern Ireland, Latvia, Libya, Qatar, Argentina, Liechtenstein, Norway, Australia, Cameroon, Cuba, Iraq, the Democratic People's Republic of Korea, Mexico, Egypt, Azerbaijan, the Republic of Korea, the Bolivarian Republic of Venezuela, Costa Rica, Algeria, Ghana (on behalf of the Group of African States), the Sudan, the Syrian Arab Republic and Morocco, as well as the observers of the State of Palestine and the European Union.

5. At its 23rd meeting, on 20 October, the Committee heard an introductory statement by the Assistant Secretary-General for Human Rights and Head of the New York Office of the United Nations High Commissioner for Human Rights, who responded to the questions posed and the comments made by the representatives of Morocco and Azerbaijan, as well as the observer of the European Union.

6. At the same meeting, the Committee also heard an introductory statement by the Director of the Division for Social Policy and Development of the Department for Economic and Social Affairs.

7. Also at the same meeting, the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, made an introductory statement and responded to the questions posed and the comments made by the representatives of Morocco and the Islamic Republic of Iran.

8. Also at the 23rd meeting, the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights made an introductory statement and responded to the questions posed and the comments made by the representatives of Cuba, the Sudan, Algeria, the Bolivarian Republic of Venezuela (on behalf of the Movement of Non-Aligned Countries), the Russian Federation, Morocco, the Islamic Republic of Iran and Israel, as well as the observer of the State of Palestine.

9. Also at the same meeting, the Committee heard an introductory statement by the Special Rapporteur on the rights to freedom of peaceful assembly and of association, who engaged in an interactive dialogue with the representatives of the United States of America, the United Kingdom of Great Britain and Northern Ireland, Colombia, Switzerland, the Islamic Republic of Iran, Czechia, Indonesia, Norway, Ethiopia and Qatar, as well as the observer of the European Union.

10. At its 24th meeting, on 20 October, the Committee heard an introductory statement by the Chair-Rapporteur of the Working Group on the Right to Development, who responded to the questions posed and the comments made by the representatives of the Bolivarian Republic of Venezuela (on behalf of the Movement of Non-Aligned Countries), Cuba, China, the Islamic Republic of Iran, Pakistan, Morocco, South Africa, Eritrea and India, as well as the observer of the European Union.

11. At the same meeting, the Committee heard an introductory statement by the Chair of the Working Group on the issue of human rights and transnational corporations and other business enterprises, who responded to the questions posed and the comments made by the representatives of the Russian Federation, the United States of America, Mexico, Brazil, Spain, Switzerland, Morocco, South Africa, Norway, the United Kingdom of Great Britain and Northern Ireland and Cameroon, as well as the observer of the European Union.

12. Also at the same meeting, the Committee heard an introductory statement by the Independent Expert on the promotion of a democratic and equitable international order, who responded to the questions posed and the comments made by the representatives of Pakistan, Morocco and Zimbabwe.

13. At the 25th meeting, on 21 October, the representative of the Office of the United Nations High Commissioner for Human Rights made an introductory statement on behalf of the Special Rapporteur on the independence of judges and lawyers.

14. At the same meeting, the Committee heard an introductory statement by the Special Rapporteur on extrajudicial, summary or arbitrary executions, who engaged in an interactive dialogue with the representatives of Cuba, Singapore, Australia, Mexico, the Islamic Republic of Iran, Iraq, Liechtenstein, France, Canada, Papua New Guinea, Egypt, Cameroon, China and the Philippines, as well as the observers of the State of Palestine and the European Union.

15. Also at the same meeting, the Committee heard an introductory statement by the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, who responded to the questions posed and the comments made by the representatives of Morocco, Mexico, the Islamic Republic of Iran, Brazil, the United States of America, Iraq, the Netherlands, the United Kingdom of Great Britain and Northern Ireland, Turkey and Switzerland, as well as the observer of the European Union.

16. At its 26th meeting, on 21 October, the Committee heard an introductory statement by the Special Rapporteur on the situation of human rights defenders, who responded to the questions posed and the comments made by the representatives of Norway, Mexico, the United States of America, the United Kingdom of Great Britain and Northern Ireland, Switzerland, Colombia, the Islamic Republic of Iran, the Russian Federation, Slovenia, the Netherlands, Spain, Brazil, Ireland, Canada, Czechia, Poland, France, Morocco and Cameroon, as well as the observer of the European Union.

17. At the same meeting, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression made an introductory statement and responded to the questions posed and the comments made by the representatives of the United States of America, the Islamic Republic of Iran, Latvia, Mexico, Austria, Indonesia, Iraq, Czechia, the Russian Federation, Lithuania, Poland, Cuba, the United Kingdom of Great Britain and Northern Ireland, Brazil, Norway, Denmark, Ethiopia and Cameroon, as well as the observer of the European Union.

18. Also at the same meeting, the Committee heard an introductory statement by the Independent Expert on human rights and international solidarity, who engaged in an interactive dialogue with the representatives of Cuba and Morocco.

19. At its 27th meeting, on 24 October, the Committee heard an introductory statement by the Special Rapporteur on the right to privacy, who engaged in an interactive dialogue with the representatives of the United States of America, the United Kingdom of Great Britain and Northern Ireland, Switzerland, the Islamic Republic of Iran, Iraq, Morocco and Brazil, as well as the observer of the European Union.

20. At the same meeting, the Chair of the Committee on Enforced Disappearances made an introductory statement and responded to the questions posed and the comments made by the representatives of Japan, Mexico, Iraq, Argentina, France and Morocco, as well as the observer of the European Union.

21. Also at the same meeting, the Committee heard an introductory statement by the Chair of the Working Group on Enforced or Involuntary Disappearances, who responded to the questions posed and the comments made by the representatives of Morocco, the United States of America, France, Argentina and China, as well as the observer of the European Union.

22. At its 28th meeting, on 24 October, the Committee heard an introductory statement by the Chair of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, who engaged in an interactive dialogue with the representatives of Morocco, Iraq, Mexico, Colombia, Bangladesh and Turkey, as well as the observer of the European Union.

23. At the same meeting, the Committee also heard an introductory statement by the Special Rapporteur on the human rights of migrants, who responded to the questions posed and the comments made by the representatives of Morocco, Eritrea, Brazil, Mexico, Greece, the Russian Federation, Canada, the United States of America, Cuba, Colombia, Indonesia, Angola, Switzerland and Germany, as well as the observer of the European Union.

24. Also at the same meeting, the representative of the International Organization for Migration also participated in the interactive dialogue.

25. Also at its 28th meeting, the Committee heard an introductory statement by the Special Rapporteur on the human rights of internally displaced persons, who responded to the questions posed and the comments made by the representatives of Georgia, Austria, the United States of America, Japan, Liechtenstein, Turkey, Morocco, Iraq, the United Kingdom of Great Britain and Northern Ireland, Azerbaijan, Norway, Switzerland and Nigeria.

26. At its 29th meeting, on 25 October, the Committee heard an introductory statement by the Special Rapporteur on the right to food, who responded to the questions posed and the comments made by representatives of Turkey, the Islamic Republic of Iran, Poland, the United States of America, Switzerland, Cameroon, Indonesia, Morocco and Eritrea, as well as the observer of the European Union.

27. At the same meeting, the Special Rapporteur on the right to education made an introductory statement and responded to the questions posed and the comments

made by the representatives of South Africa, Portugal, the Islamic Republic of Iran, Mexico, Qatar, Norway, Morocco, Maldives, Cameroon and Indonesia, as well as the observer of the European Union.

28. Also at the same meeting, the Committee heard an introductory statement by the Special Rapporteur on extreme poverty and human rights, who engaged in an interactive dialogue with the representatives of Jamaica, the Russian Federation, Spain, South Africa, Switzerland, China, Iraq and Haiti, as well as the observer of the European Union.

29. At its 30th meeting, on 25 October, the Committee heard an introductory statement by the Special Rapporteur on the human rights to safe drinking water and sanitation, who engaged in an interactive dialogue with the representatives of Brazil, Germany, Slovenia, South Africa, Switzerland, Morocco, Mexico, Maldives and Spain, as well as the observer of the European Union.

30. At the same meeting, the Committee heard an introductory statement by the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, who engaged in an interactive dialogue with the representatives of South Africa, Germany, the United Kingdom of Great Britain and Northern Ireland, Qatar, Morocco, Maldives, Brazil and Iraq, as well as the observer of the European Union.

31. Also at the same meeting, the Committee heard an introductory statement by the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, who engaged in an interactive dialogue with the representatives of Portugal, Morocco, South Africa, Indonesia, Mexico, Maldives, Brazil and Palau (also on behalf of Australia, Belgium, Brazil, Canada, the Federated States of Micronesia and Portugal), as well as the observer of the European Union.

32. At its 31st meeting, on 26 October, the Committee heard an introductory statement by the Chair of the Committee on the Rights of Persons with Disabilities, who engaged in an interactive dialogue with the representatives of Mexico, Iraq, Switzerland, Japan, Chile, Australia, Brazil, Colombia, South Africa and Argentina, as well as the observer of the European Union.

33. At the same meeting, the Committee heard an introductory statement by the Special Rapporteur on the rights of persons with disabilities, who engaged in an interactive dialogue with the representatives of Norway, Maldives, the Islamic Republic of Iran, Colombia, Costa Rica, Qatar, Mexico, the Russian Federation, Brazil, the United States of America, China, Spain, Australia, Morocco, Palau, South Africa and Indonesia, as well as the observer of the European Union.

34. Also at the same meeting, the Committee heard an introductory statement by the Independent Expert on the enjoyment of human rights by persons with albinism, who engaged in an interactive dialogue with the representatives of the United Republic of Tanzania, Somalia, Japan, Israel, Panama and Mozambique.

35. At its 32nd meeting, on 26 October, the Committee heard an introductory statement by the Special Rapporteur in the field of cultural rights, who engaged in an interactive dialogue with the representatives of the Islamic Republic of Iran, Iraq,

Norway, Indonesia, Libya, the Russian Federation, Morocco, Turkey and Mexico, as well as the observer of the European Union.

36. At the same meeting, the Committee also heard an introductory statement by the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, who engaged in an interactive dialogue with the representatives of the United States of America, Switzerland and Colombia, as well as the observer of the European Union.

37. At its 33rd meeting, on 27 October, the Committee heard an introductory statement by the Special Rapporteur on the situation of human rights in Myanmar, who engaged in an interactive dialogue with the representatives of Myanmar, Norway, the United States of America, China, Japan, Eritrea, Thailand, Australia, Switzerland, Egypt (on behalf of the Organization of Islamic Cooperation), the Russian Federation, the Lao People's Democratic Republic, the Democratic People's Republic of Korea, Cuba, Czechia, Jordan, Singapore, the United Kingdom of Great Britain and Northern Ireland, the Republic of Korea, the Philippines, Saudi Arabia, Viet Nam and the Islamic Republic of Iran, as well as the observer of the European Union.

38. At the same meeting, the observer of the Organization of Islamic Cooperation also participated in the interactive dialogue.

39. Also at the same meeting, the Committee heard an introductory statement by the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, who engaged in an interactive dialogue with the representatives of the Bolivarian Republic of Venezuela (on behalf of the Movement of Non-Aligned Countries), the Syrian Arab Republic, Japan, Australia, Liechtenstein, the Netherlands, the United States of America, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, Belarus, Switzerland, Czechia, China, the Republic of Korea, Germany, Cuba, Norway, the Maldives, the Islamic Republic of Iran, Ireland, the Lao People's Democratic Republic, Argentina and the Bolivarian Republic of Venezuela, as well as the observer of the European Union.

40. At its 34th meeting, on 27 October, the Committee heard an introductory statement by the Special Rapporteur on the situation of human rights in Belarus, who engaged in an interactive dialogue with the representatives of the Bolivarian Republic of Venezuela (on behalf of the Movement of Non-Aligned Countries), Belarus, the United States of America, Czechia, Cuba, Norway, the Russian Federation, Lithuania, Germany, Poland, Turkmenistan, Kyrgyzstan, the Lao People's Democratic Republic, Switzerland, Ecuador, the Islamic Republic of Iran, Ireland, the United Kingdom of Great Britain and Northern Ireland, Azerbaijan, Kazakhstan, Eritrea, Tajikistan, Pakistan, Bangladesh, Uzbekistan, China, the Democratic People's Republic of Korea, the Bolivarian Republic of Venezuela, the Syrian Arab Republic and the Plurinational State of Bolivia, as well as the observer of the European Union.

41. At the same meeting, the Committee also heard an introductory statement by the Special Rapporteur on the situation of human rights in Eritrea and member of the former commission of inquiry on human rights in Eritrea, who engaged in an interactive dialogue with the representatives of the Bolivarian Republic of Venezuela (on behalf of the Movement of Non-Aligned Countries), Eritrea,

Myanmar, Djibouti, the United States of America, Zimbabwe, Germany, the United Arab Emirates, Ecuador, Ethiopia, China, Norway, Cuba, Belarus, the Plurinational State of Bolivia, the United Kingdom of Great Britain and Northern Ireland, Bangladesh, Switzerland, the Russian Federation, Pakistan, Burundi, the Islamic Republic of Iran, Egypt and the Bolivarian Republic of Venezuela, as well as the observer of the European Union.

42. Also at the same meeting, the Committee also heard an introductory statement by the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967.

43. At its 35th meeting, on 28 October, the Committee heard a statement by the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, who engaged in an interactive dialogue with the representatives of Jordan, Senegal, Indonesia, the Islamic Republic of Iran, Cuba, Qatar, Norway, South Africa, Morocco, Saudi Arabia, Israel, Maldives and Turkey, as well as the observers of the State of Palestine and the European Union.

44. At the same meeting, the Committee heard an introductory statement by the Special Adviser to the Secretary-General on Myanmar, who engaged in an interactive dialogue with the representatives of Myanmar, Singapore, Norway, Egypt (on behalf of the Organization of Islamic Cooperation), China and the United Kingdom of Great Britain and Northern Ireland, as well as the observer of the European Union.

45. Also at the same meeting, the Committee heard an introductory statement by the Special Rapporteur on freedom of religion or belief, who engaged in an interactive dialogue with the representatives of Poland, Denmark, the Islamic Republic of Iran, the United States of America, Germany, Norway, the United Kingdom of Great Britain and Northern Ireland, Ireland, Canada and Yemen, as well as the observer of the European Union.

46. Also at its 35th meeting, the Committee heard an introductory statement by the Special Rapporteur on trafficking in persons, especially women and children, who engaged in an interactive dialogue with the representatives of the United States of America, Germany, the United Kingdom of Great Britain and Northern Ireland, Liechtenstein, South Africa, Morocco, Eritrea and Switzerland, as well as the observer of the European Union.

47. At its 36th meeting, on 28 October, the Committee heard a statement by the Special Rapporteur on minority issues, who engaged in an interactive dialogue with the representatives of Hungary, Austria, the United States of America, the Russian Federation and Norway, as well as the observer of the European Union.

48. At the same meeting, the Committee heard an introductory statement by the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, who engaged in an interactive dialogue with the representatives of the Bolivarian Republic of Venezuela (on behalf of the Movement of Non-Aligned Countries), the Islamic Republic of Iran, the United States of America, the Syrian Arab Republic, Germany, the United Kingdom of Great Britain and Northern Ireland, Switzerland, Zimbabwe, Norway, Canada, the Russian Federation, Belarus, Czechia, Japan, the

Democratic People's Republic of Korea, Cuba, China, Eritrea, Pakistan and the Bolivarian Republic of Venezuela, as well as the observer of the European Union.

II. Consideration of proposals

A. Draft resolutions A/C.3/71/L.22 and A/C.3/71/L.22/Rev.1

49. At the 46th meeting, on 8 November, the representative of Peru introduced a draft resolution entitled "Human rights and extreme poverty" (A/C.3/71/L.22). Subsequently, Antigua and Barbuda, Argentina, Bangladesh, Haiti, Honduras, Mongolia, Panama, Paraguay, Timor-Leste and Uganda joined in sponsoring the draft resolution.

50. At its 54th meeting, on 21 November, the Committee had before it a revised draft resolution (A/C.3/71/L.22/Rev.1) submitted by the sponsors of draft resolution A/C.3/71/L.22 and Brazil, the Central African Republic, Chile, China, Costa Rica, El Salvador, Guatemala, Madagascar, Morocco, South Africa, Sri Lanka and Venezuela (Bolivarian Republic of). Subsequently, Albania, Algeria, Andorra, Armenia, Australia, Austria, Belgium, Belize, Bolivia (Plurinational State of), Bosnia and Herzegovina, Bulgaria, Cabo Verde, Cameroon, Canada, Chad, Colombia, Croatia, Cuba, Cyprus, Czechia, Denmark, the Dominican Republic, Ecuador, Egypt, Eritrea, Estonia, Finland, France, Georgia, Germany, Greece, Guinea, Guinea-Bissau, Hungary, Iceland, India, Ireland, Italy, Jamaica, Japan, Kenya, Latvia, Lebanon, Liberia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Mali, Malta, Mexico, Monaco, Montenegro, Namibia, the Netherlands, New Zealand, Nicaragua, Nigeria, Norway, the Philippines, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, the Russian Federation, San Marino, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, Spain, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania and Uruguay joined in sponsoring the draft resolution.

51. At the same meeting, the representative of Peru made a statement.

52. Also at the same meeting, the Committee adopted draft resolution A/C.3/71/L.22/Rev.1 (see para. 137, draft resolution I).

53. After the adoption, a statement was made by the representative of the United States of America.

B. Draft resolution A/C.3/71/L.27 and amendment thereto contained in document A/C.3/71/L.54

54. At the 46th meeting, on 8 November, the representative of Mongolia, on behalf of Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Belgium, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Cabo Verde, Canada, Chile, Colombia, the Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, the Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guinea-Bissau, Honduras, Hungary, Iceland, Ireland,

Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, the Netherlands, New Zealand, Norway, Palau, Panama, Paraguay, Poland, Portugal, the Republic of Moldova, Romania, Rwanda, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Ukraine, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of), introduced a draft resolution entitled "Moratorium on the use of the death penalty" (A/C.3/71/L.27). Subsequently, Bolivia (Plurinational State of), Fiji, Haiti, Mozambique, Samoa, Sierra Leone, Somalia and Togo joined in sponsoring the draft resolution.

55. At the 50th meeting, on 17 November, the representative of Argentina made a statement and orally revised the draft resolution.

56. Subsequently, Algeria, Bolivia (Plurinational State of), Eritrea, Fiji, Guinea, Haiti, Madagascar, the Marshall Islands, Mozambique, Samoa, Sierra Leone, Somalia, Togo and Vanuatu joined in sponsoring the draft resolution, as orally revised.

Action on the amendment contained in document A/C.3/71/L.54

57. At the 50th meeting, on 17 November, the Chair drew the attention of the Committee to the amendment to draft resolution A/C.3/71/L.27, submitted by Bahrain, Bangladesh, Botswana, China, Egypt, the Lao People's Democratic Republic, Oman, Pakistan, Papua New Guinea, Qatar, Saint Vincent and the Grenadines, Saudi Arabia, Singapore and the United Arab Emirates, contained in document A/C.3/71/L.54. Subsequently, Afghanistan, Antigua and Barbuda, the Bahamas, Belarus, Belize, Brunei Darussalam, the Democratic People's Republic of Korea, Guyana, Iran (Islamic Republic of), Kuwait, Lesotho, Libya, Malaysia, the Niger, Saint Kitts and Nevis, the Sudan, Suriname, the Syrian Arab Republic, Trinidad and Tobago and Viet Nam joined in sponsoring the amendment.

58. At the same meeting, the representative of Singapore made a statement in connection with the draft amendment.

59. Also at the same meeting, the Committee adopted the amendment by a recorded vote of 76 to 72, with 26 abstentions. The voting was as follows:

In favour:

Afghanistan, Algeria, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, China, Cuba, Democratic People's Republic of Korea, Dominica, Egypt, Ethiopia, Gambia, Ghana, Guinea, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Japan, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Libya, Malawi, Malaysia, Maldives, Mali, Myanmar, Namibia, Nauru, Nicaragua, Niger, Oman, Pakistan, Papua New Guinea, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Singapore, South Africa, South Sudan, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Timor-Leste, Tonga, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, United States of America, Viet Nam, Yemen, Zimbabwe.

Against:

Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Cabo Verde, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, Estonia, Finland, France, Georgia, Germany, Greece, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Netherlands, New Zealand, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, San Marino, Serbia, Sierra Leone, Slovakia, Slovenia, Somalia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela (Bolivarian Republic of).

Abstaining:

Benin, Chad, Comoros, Djibouti, El Salvador, Fiji, Guatemala, Guinea-Bissau, Kazakhstan, Kiribati, Lebanon, Liberia, Mauritania, Morocco, Mozambique, Nepal, Nigeria, Philippines, Republic of Korea, Rwanda, Seychelles, Sri Lanka, Swaziland, Thailand, Vanuatu, Zambia.

60. Before the vote, statements were made by the representatives of Botswana, Egypt, Brazil and Switzerland.

61. Also at the 50th meeting, the representative of the Federated States of Micronesia moved for the suspension of the meeting under rule 118 of the rules of procedure of the General Assembly.

62. At the same meeting, the representative of Singapore made a statement.

63. Also at the same meeting, the Secretary of the Committee made a statement.

64. Also at its 50th meeting, the Committee decided to suspend its meeting by a recorded vote of 80 to 53, with 26 abstentions. The voting was as follows:[2]

In favour:

Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Belgium, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Cabo Verde, Cambodia, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Kenya, Kiribati, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Netherlands, New Zealand, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Rwanda, Samoa, San Marino, Serbia, Slovakia, Slovenia, Somalia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Togo, United Kingdom of Great Britain and Northern Ireland, Uruguay, Yemen.

[2] The delegation of the Comoros subsequently indicated that, had it been present, it would have voted in favour.

Against:

Afghanistan, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Botswana, Brunei Darussalam, Burundi, China, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Egypt, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kuwait, Lesotho, Malaysia, Maldives, Mauritania, Myanmar, Nauru, Nepal, Nicaragua, Niger, Oman, Pakistan, Papua New Guinea, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Singapore, South Africa, Suriname, Syrian Arab Republic, Timor-Leste, Trinidad and Tobago, United Arab Emirates, Viet Nam, Zimbabwe.

Abstaining:

Algeria, Central African Republic, Chad, Gambia, Ghana, Guinea, Guinea-Bissau, Japan, Kazakhstan, Kyrgyzstan, Liberia, Malawi, Mali, Mozambique, Namibia, Nigeria, Philippines, Republic of Korea, South Sudan, Sri Lanka, Swaziland, Thailand, United Republic of Tanzania, United States of America, Venezuela (Bolivarian Republic of), Zambia.

Action on draft resolution A/C.3/71/L.27 as a whole

65. Upon resumption of its 50th meeting, the Committee proceeded to consider the draft resolution, as orally revised and amended.

66. At the same meeting, Lesotho and South Africa joined in sponsoring the draft resolution, as orally revised and amended.

67. Also at the same meeting, the Committee adopted draft resolution A/C.3/71/L.27, as orally revised and amended, by a recorded vote of 115 to 38, with 31 abstentions (see para. 137, draft resolution II). The voting was as follows:

In favour:

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cabo Verde, Cambodia, Canada, Central African Republic, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Kazakhstan, Kiribati, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Serbia, Sierra Leone, Slovakia, Slovenia, Somalia, South Africa, South Sudan, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Turkmenistan, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of).

Against:

Afghanistan, Antigua and Barbuda, Bahamas, Bangladesh, Barbados, Belize, Botswana, Brunei Darussalam, Burundi, China, Democratic People's Republic of Korea, Dominica, Egypt, Ethiopia, Guyana, India, Iran (Islamic Republic of), Iraq, Jamaica, Japan, Kuwait, Libya, Malaysia, Maldives, Oman, Pakistan, Papua New Guinea, Qatar, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Singapore, Sudan, Syrian Arab Republic, Trinidad and Tobago, United States of America, Yemen.

Abstaining:

Bahrain, Belarus, Cameroon, Chad, Comoros, Cuba, Djibouti, Ghana, Indonesia, Jordan, Kenya, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Mauritania, Morocco, Myanmar, Niger, Nigeria, Philippines, Republic of Korea, Seychelles, Thailand, Tonga, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zambia, Zimbabwe.

68. Before the vote, statements were made by the representatives of the Federated States of Micronesia, Slovakia (on behalf of the European Union), the United Kingdom of Great Britain and Northern Ireland, Argentina (also on behalf of Brazil, Colombia, Costa Rica, the Dominican Republic, El Salvador, Honduras, Mexico, Panama, Paraguay and Uruguay), Canada (also on behalf of Australia, Iceland, Liechtenstein, Norway and Switzerland), the Holy See, Angola, New Zealand, Albania, Israel, Armenia, Ukraine, Chile, Haiti, Cabo Verde, Fiji, Singapore, the Syrian Arab Republic, Peru, Trinidad and Tobago and Papua New Guinea.

69. At its 51st meeting, on 17 November, the Committee resumed its consideration of the draft resolution, as orally revised and amended, and heard statements, after the vote, by the representatives of Lesotho, India, Myanmar, Qatar (also on behalf of Saudi Arabia, Kuwait and Oman), the Russian Federation, the Sudan, the Islamic Republic of Iran, the United States of America, Bangladesh, Morocco, Yemen, Japan, Egypt, the Republic of Moldova, Mongolia and Viet Nam.

70. At the same meeting, the Secretary made a clarification regarding the co-sponsorship by Lesotho of the draft resolution.

71. Also at the same meeting, the Chair made a statement. The Secretary of the Committee also made a statement.

C. Draft resolution A/C.3/71/L.28/Rev.1

72. At its 51st meeting, on 17 November, the Committee had before it a draft resolution entitled "Human rights in the administration of justice" (A/C.3/71/L.28/Rev.1), which replaced draft resolution A/C.3/71/L.28 and was submitted by Armenia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Chile, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, the Gambia, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mongolia, Montenegro, the Netherlands, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine and Uruguay. Subsequently, Albania, Andorra, Argentina, Australia, Canada, the

Dominican Republic, Djibouti, El Salvador, France, Guatemala, Honduras, India, Israel, Italy, Lebanon, Liberia, Mexico, Monaco, Morocco, New Zealand, the Philippines, Romania, San Marino, Serbia and Thailand joined in sponsoring the draft resolution.

73. At the same meeting, a statement was made by the representative of Austria.

74. Also at the same meeting, the Committee adopted draft resolution A/C.3/71/L.28/Rev.1 (see para. 137, draft resolution III).

75. After the adoption, the representative of the United States of America made a statement

D. Draft resolution A/C.3/71/L.29

76. At the 46th meeting, on 8 November, the representative of Cuba, on behalf of Algeria, Bolivia (Plurinational State of), Cuba, the Democratic People's Republic of Korea, Eritrea, Namibia, Nicaragua, the Syrian Arab Republic, Venezuela (Bolivarian Republic of) and Viet Nam, introduced a draft resolution entitled "Declaration on the Right to Peace" (A/C.3/71/L.29). Subsequently, Belarus, Cameroon, the Central African Republic, China, the Lao People's Democratic Republic, Myanmar, South Africa, Togo and Zimbabwe joined in sponsoring the draft resolution.

77. At the 52nd meeting, on 18 November, the representative of Cuba made a statement and orally revised preambular paragraph 3 of the draft resolution.

78. At the same meeting, Benin, Colombia, Costa Rica, Ecuador, Egypt, El Salvador, Ghana, Indonesia, Nigeria, Paraguay, Senegal, the Sudan and Uganda joined in sponsoring the draft resolution, as orally revised.

79. Also at the same meeting, the Committee adopted draft resolution A/C.3/71/L.29, as orally revised, by a recorded vote of 116 to 34, with 19 abstentions (see para. 137, draft resolution IV). The voting was as follows:

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Ghana, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab

Republic, Tajikistan, Thailand, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czechia, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Israel, Japan, Latvia, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Republic of Korea, Romania, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Albania, Andorra, Armenia, Cyprus, Fiji, Greece, Iceland, Italy, Liechtenstein, Norway, Palau, Poland, Portugal, Republic of Moldova, San Marino, Serbia, South Sudan, Switzerland, Turkey.

80. Before the vote, statements were made by the representatives of the United States of America and Iceland (also on behalf of Australia, Liechtenstein, New Zealand and Norway). After the vote, statements were made by the representatives of Slovakia (on behalf of the European Union), Japan, Canada, the Islamic Republic of Iran, Liechtenstein (also on behalf of Austria, Belgium, Costa Rica, El Salvador, Estonia, Iceland, Latvia, Lithuania, Luxembourg, Poland, Slovenia and Switzerland) and the Syrian Arab Republic.

E. Draft resolutions A/C.3/71/L.30 and A/C.3/71/L.30/Rev.1

81. At the 47th meeting, on 10 November, the representative of Cuba, on behalf of Bolivia (Plurinational State of), China, Cuba, the Democratic People's Republic of Korea, Ecuador, El Salvador, Eritrea, India, Mauritania, Namibia, Nicaragua, Pakistan, the Sudan, Syrian Arab Republic, Venezuela (Bolivarian Republic of) and Viet Nam, introduced a draft resolution entitled "Promotion of a democratic and equitable international order" (A/C.3/71/L.30). Subsequently, Angola, Bangladesh, Belarus, Botswana, the Comoros, the Congo, Côte d'Ivoire, Iran (Islamic Republic of), the Lao People's Democratic Republic, Madagascar, Myanmar, the Russian Federation, Saint Vincent and the Grenadines, Sri Lanka, Uganda and Zimbabwe joined in sponsoring the draft resolution.

82. At its 54th meeting, on 21 November, the Committee had before it a revised draft resolution (A/C.3/71/L.30/Rev.1) submitted by the sponsors of draft resolution A/C.3/71/L.30 and Algeria, Burundi, Libya and Viet Nam. Subsequently, Belize, Burkina Faso, the Central African Republic, Chad, the Democratic Republic of the Congo, the Dominican Republic, the Gambia, Ghana, Guinea-Bissau, Malaysia, Saint Lucia and the United Republic of Tanzania joined in sponsoring the draft resolution.

83. At the same meeting, the representative of Cuba made a statement.

84. Also at the same meeting, the Committee adopted draft resolution A/C.3/71/L.30/Rev.1 by a recorded vote of 123 to 53, with 6 abstentions (see para. 137, draft resolution V). The voting was as follows:

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Armenia, Chile, Costa Rica, Greece, Mexico, Peru.

85. Before the vote, a statement was made by the representative of Slovakia (on behalf of the European Union).

F. Draft resolutions A/C.3/71/L.31 and A/C.3/71/L.31/Rev.1

86. At the 47th meeting, on 10 November, the representative of Cuba, on behalf of Algeria, Bolivia (Plurinational State of), China, Cuba, Ecuador, Eritrea, Fiji, Honduras, India, Jordan, Kuwait, Mauritania, Mongolia, Myanmar, Namibia, Nepal,

Nicaragua, Panama, the Sudan, the Syrian Arab Republic, Turkmenistan, Venezuela (Bolivarian Republic of) and Viet Nam, introduced a draft resolution entitled "The right to food" (A/C.3/71/L.31). Subsequently, Angola, Antigua and Barbuda, Bangladesh, Belarus, Benin, Cabo Verde, Cameroon, the Central African Republic, the Comoros, the Congo, Côte d'Ivoire, Djibouti, the Gambia, Guatemala, Guinea, Guyana, Iran (Islamic Republic of), the Lao People's Democratic Republic, Liberia, Madagascar, Morocco, Paraguay, Qatar, the Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Senegal, South Africa, South Sudan, Sri Lanka, Suriname, Tajikistan, Tunisia, Uganda, the United Arab Emirates and Zimbabwe joined in sponsoring the draft resolution.

87. At its 54th meeting, on 21 November, the Committee had before it draft resolution A/C.3/71/L.31/Rev.1, submitted by the sponsors of draft resolution A/C.3/71/L.31 and Burkina Faso, Burundi, El Salvador, Germany, Iceland, Indonesia, Japan, Kenya, Libya, Peru, Portugal and Swaziland. Subsequently, Albania, Andorra, Austria, the Bahamas, Barbados, Belgium, Belize, Bosnia and Herzegovina, Bulgaria, Chad, Costa Rica, Croatia, Cyprus, the Democratic Republic of the Congo, Denmark, the Dominican Republic, Egypt, France, Greece, Guinea-Bissau, Haiti, Hungary, Ireland, Italy, Jamaica, Latvia, Lebanon, Liechtenstein, Luxembourg, Malawi, Malaysia, Maldives, Malta, Mexico, Monaco, Montenegro, Nigeria, the Philippines, Poland, the Republic of Korea, the Republic of Moldova, Romania, Saint Kitts and Nevis, San Marino, Saudi Arabia, Serbia, Sierra Leone, Slovakia, Slovenia, Spain, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, the United Republic of Tanzania, Vanuatu and Yemen joined in sponsoring the draft resolution.

88. At the same meeting, the representative of Cuba made a statement and orally revised the draft resolution.

89. Also at the same meeting, the Committee adopted draft resolution A/C.3/71/L.31/Rev.1, as orally revised (see para. 137, draft resolution VI).

90. After the adoption, statements were made by the representatives of the United States of America, Slovakia (on behalf of the European Union) and Canada.

G. Draft resolutions A/C.3/71/L.32 and A/C.3/71/L.32/Rev.1

91. At the 48th meeting, on 15 November, the representative of Cuba, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries, and China, introduced a draft resolution entitled "The right to development" (A/C.3/71/L.32). Subsequently, Palau joined in sponsoring the draft resolution.

92. At its 54th meeting, on 21 November, the Committee had before it draft resolution A/C.3/71/L.32/Rev.1, submitted by the sponsors of A/C.3/71/L.32. Subsequently, El Salvador joined in sponsoring the draft resolution.

93. At the same meeting, the representative of Cuba made a statement (on behalf of the Movement of Non-Aligned Countries).

94. Also at the same meeting, the Committee adopted draft resolution A/C.3/71/L.32/Rev.1 by a recorded vote of 138 to 3, with 39 abstentions (see para. 137, draft resolution VII). The voting was as follows:

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Japan, Latvia, Lithuania, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Republic of Korea, Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine.

95. Before the vote, statements were made by the representatives of the United States of America, the United Kingdom of Great Britain and Northern Ireland and Switzerland; after the vote, statements were made by the representatives of Slovakia (on behalf of the European Union), Mexico, Canada, Bangladesh and Liechtenstein (also on behalf of Australia, Iceland, New Zealand and Switzerland).

H. Draft resolutions A/C.3/71/L.33 and A/C.3/71/L.33/Rev.1

96. At the 48th meeting, on 15 November, the representative of Cuba, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries, and China, introduced a draft resolution entitled "Human rights and unilateral coercive measures" (A/C.3/71/L.33). Subsequently, the Russian Federation joined in sponsoring the draft resolution.

97. At its 54th meeting, on 21 November, the Committee had before it a revised draft resolution A/C.3/71/L.33/Rev.1, submitted by the sponsors of draft resolution A/C.3/71/L.33.

98. At the same meeting, the representative of Cuba made a statement (on behalf of the Movement of Non-Aligned Countries).

99. Also at the same meeting, the Secretary of the Committee corrected the French version of the draft resolution.

100. Also at its 54th meeting, the Committee adopted draft resolution A/C.3/71/L.33/Rev.1, by a recorded vote of 128 to 54 (see para. 137, draft resolution VIII). The voting was as follows:

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of

Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

None.

101. Before the vote, a statement was made by the representative of the United States of America.

I. Draft resolution A/C.3/71/L.34

102. At the 48th meeting, on 15 November, the representative of Cuba, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries, and China, introduced a draft resolution entitled "Enhancement of international cooperation in the field of human rights" (A/C.3/71/L.34). Subsequently, the Russian Federation joined in sponsoring the draft resolution.

103. At the 52nd meeting, on 18 November, the representative of Cuba made a statement (on behalf of the Movement of Non-Aligned Countries and China).

104. At the same meeting, El Salvador, Paraguay and the Russian Federation joined in sponsoring the draft resolution.

105. Also at the same meeting, the Committee adopted draft resolution A/C.3/71/L.34 (see para. 137, draft resolution IX).

106. After the adoption, a statement was made by the representative of the United States of America.

J. Draft resolution A/C.3/71/L.35/Rev.1

107. At its 51st meeting, on 17 November, the Committee had before it a draft resolution entitled "Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief" (A/C.3/71/L.35/Rev.1) which replaced draft resolution A/C.3/71/L.35 and was submitted by Burundi, the Central African Republic, Egypt, on behalf of the States Members of the United Nations that are members of the Organization of Islamic Cooperation, and Eritrea. Subsequently, Australia, Bolivia (Plurinational State of), Canada, China, the Congo, Cuba, Ghana, Japan, Liberia, New Zealand, Swaziland, Thailand and Venezuela (Bolivarian Republic of) joined in sponsoring the draft resolution.

108. At the same meeting, a statement was made by the representative of Egypt (on behalf of the Organization of Islamic Cooperation).

109. Also at the same meeting, the Committee adopted draft resolution A/C.3/71/L.35/Rev.1 (see para. 137, draft resolution X).

K. Draft resolution A/C.3/71/L.36/Rev.1

110. At its 51st meeting, on 17 November, the Committee had before it a draft resolution entitled "Freedom of religion or belief" (A/C.3/71/L.36/Rev.1) which replaced draft resolution A/C.3/71/L.36 and was submitted by Albania, Andorra, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, El Salvador, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lebanon, Liberia, Lithuania, Luxembourg, Madagascar, Malta, Monaco, Montenegro, the Netherlands, Norway, Poland, Portugal, the Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia and the United Kingdom of Great Britain and Northern Ireland. Subsequently, Argentina, Australia, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ghana, Georgia, Guatemala, Guinea, Iceland, Israel, Lesotho, Liechtenstein, New Zealand, Nigeria, Palau, Panama, Peru, the Philippines, the Republic of Korea, Swaziland, Switzerland, Thailand, Turkey, Uganda, Ukraine, the United States of America and Uruguay joined in sponsoring the draft resolution.

111. At the same meeting, a statement was made by the representative of Slovakia (on behalf of the European Union).

112. Also at the same meeting, the Committee adopted draft resolution A/C.3/71/L.36/Rev.1 (see para. 137, draft resolution XI).

L. Draft resolution A/C.3/71/L.37

113. At the 50th meeting, on 17 November, the representative of Egypt, on behalf of China, Egypt and Eritrea, introduced a draft resolution entitled "Globalization and its impact on the full enjoyment of all human rights" (A/C.3/71/L.37). Subsequently, Algeria, Angola, Bahrain, Bangladesh, Belarus, Benin, Bolivia (Plurinational State of), Burkina Faso, Burundi, Cabo Verde, Cameroon, the Central African Republic, Côte d'Ivoire, Cuba, Djibouti, the Dominican Republic, Ecuador, Ethiopia, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jordan, Kenya, Kuwait, Lebanon, Libya, Madagascar, Mali, Mauritania, Morocco, Nicaragua, the Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Qatar, Saint Lucia, Saudi Arabia, Senegal, South Africa, the Sudan, Tunisia, Uganda, the United Arab Emirates, the United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen and Zimbabwe joined in sponsoring the draft resolution.

114. At the 54th meeting, on 21 November, Antigua and Barbuda, Belize, Chad, the Comoros, the Democratic Republic of the Congo, El Salvador, the Gambia, Liberia, Malaysia, Maldives, Namibia, the Philippines, Saint Vincent and the Grenadines, Sierra Leone and Swaziland joined in sponsoring the draft resolution.

115. At the same meeting, the Committee adopted draft resolution A/C.3/71/L.37 by a recorded vote of 128 to 53, with 2 abstentions (see para. 137, draft resolution XII). The voting was as follows:

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Greece, Lesotho.

116. Before the vote, a statement was made by the representative of Slovakia (on behalf of the European Union); after the vote, a statement was made by the representative of Mexico.

M. Draft resolution A/C.3/71/L.38/Rev.1 and amendment thereto contained in document A/C.3/71/L.53

117. At its 52nd meeting, on 18 November, the Committee had before it a draft resolution entitled "Extrajudicial, summary or arbitrary executions" (A/C.3/71/L.38/Rev.1) which replaced draft resolution A/C.3/71/L.38 and was submitted by Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica,

Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Montenegro, the Netherlands, New Zealand, Norway, Palau, Panama, Paraguay, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Uruguay. Subsequently, Bolivia (Plurinational State of), Ecuador, Guatemala, Serbia, the former Yugoslav Republic of Macedonia and Venezuela (Bolivarian Republic of) joined in sponsoring the draft resolution.

118. At the same meeting, the representative of Sweden made a statement (on behalf of the Nordic countries).

Action on the amendment contained in document A/C.3/71/L.53

119. At the 52nd meeting, on 18 November, the Chair drew the attention of the Committee to the amendment to draft resolution A/C.3/71/L.38/Rev.1 submitted by Uzbekistan, on behalf of the States Members of the United Nations that are members of the Organization of Islamic Cooperation, contained in document A/C.3/71/L.53. Subsequently, the Central African Republic and the Russian Federation joined in sponsoring the amendment.

120. At the same meeting, the representative of Uzbekistan made a statement (on behalf of the Organization of Islamic Cooperation).

121. Also at the same meeting, the Committee rejected amendment A/C.3/71/L.53 by a recorded vote of 84 to 60, with 27 abstentions. The voting was as follows:

In favour:

Afghanistan, Algeria, Angola, Azerbaijan, Bahrain, Bangladesh, Belarus, Belize, Botswana, Brunei Darussalam, Burkina Faso, Burundi,[3] Cameroon, Central African Republic, Chad, China, Comoros, Congo, Côte d'Ivoire, Democratic People's Republic of Korea, Djibouti, Egypt, Eritrea, Ethiopia, Guyana, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kuwait, Kyrgyzstan, Lebanon, Libya, Malaysia, Maldives, Mali, Morocco, Mozambique, Niger, Oman, Pakistan, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Tunisia, Uganda, United Arab Emirates, Uzbekistan, Yemen, Zimbabwe.

Against:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, India, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Netherlands, New Zealand, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic

[3] The delegation of Burundi subsequently indicated that it had intended to vote against.

of Moldova, Romania, Samoa, San Marino, Serbia, Seychelles, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of).

Abstaining:

Antigua and Barbuda, Benin, Bhutan, Cabo Verde, Fiji, Ghana, Guinea-Bissau, Haiti, Kazakhstan, Kenya, Lao People's Democratic Republic, Lesotho, Liberia, Malawi, Mauritius, Myanmar, Namibia, Nepal, Nigeria, Philippines, South Sudan, Swaziland, Togo, Trinidad and Tobago, United Republic of Tanzania, Viet Nam, Zambia.

122. Before the vote, statements were made by the representatives of Sweden (on behalf of the Nordic countries and the co-sponsors of draft resolution A/C.3/71/L.38/Rev.1), the United States of America, the United Kingdom of Great Britain and Northern Ireland, Switzerland (also on behalf of Australia, Canada, Liechtenstein and New Zealand) and Costa Rica; after the vote, statements were made by the representatives of Australia and Uzbekistan (on behalf of the Organization of Islamic Cooperation).

Action on draft resolution A/C.3/71/L.38/Rev.1

123. At its 52nd meeting, on 18 November, the Committee adopted draft resolution A/C.3/71/L.38/Rev.1 by a recorded vote of 106 to none, with 69 abstentions (see para. 137, draft resolution XIII). The voting was as follows:

In favour:

Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Cabo Verde, Cambodia, Canada, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, India, Ireland, Italy, Jamaica, Japan, Kiribati, Latvia, Lebanon, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Myanmar, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia, Seychelles, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of).

Against:

None.

Abstaining:

Afghanistan, Algeria, Angola, Azerbaijan, Bahrain, Bangladesh, Belarus, Benin, Botswana, Brunei Darussalam, Burundi, Cameroon, Chad, China, Comoros, Congo, Côte d'Ivoire, Democratic People's Republic of Korea, Djibouti, Egypt, Eritrea, Ethiopia, Ghana, Guinea-Bissau, Guyana, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Morocco, Mozambique, Namibia, Niger, Nigeria, Oman, Pakistan, Qatar, Russian Federation, Rwanda, Saudi Arabia, Senegal, South Sudan, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Tonga, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe.

124. Before the vote, statements were made by the representatives of Egypt and Sweden; after the vote, statements were made by the representatives of the Russian Federation, the Sudan, Jamaica, the United States of America and Singapore.

N. Draft resolution A/C.3/71/L.39/Rev.1

125. At its 54th meeting, on 21 November, the Committee had before it a draft resolution entitled "The right to privacy in the digital age" (A/C.3/71/L.39/Rev.1) which replaced draft resolution A/C.3/71/L.39 and was submitted by Albania, Argentina, Armenia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Chile, Costa Rica, Croatia, Cyprus, Czechia, Denmark, the Dominican Republic, El Salvador, Estonia, Finland, France, Germany, Greece, Honduras, Hungary, Iceland, Indonesia, Ireland, Latvia, Lebanon, Liechtenstein, Luxembourg, Malta, Mexico, Montenegro, the Netherlands, Panama, Paraguay, Peru, Poland, Portugal, the Republic of Moldova, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia and Uruguay. Subsequently, Angola, Belize, Bolivia (Plurinational State of), Ecuador, Eritrea, Georgia, Ghana, Guatemala, Guinea, Italy, Lesotho, Lithuania, Malaysia, Morocco, Norway, Romania, Saint Lucia, Saint Vincent and the Grenadines, Serbia, Timor-Leste, Turkey, Ukraine and Venezuela (Bolivarian Republic of) joined in sponsoring the draft resolution.

126. At the same meeting, the representatives of Brazil and Germany made statements and the representative of Brazil orally revised the twenty-eighth preambular paragraph of the draft resolution.

127. Also at the same meeting, statements were made by the representatives of South Africa and Cuba.

128. Also at its 54th meeting, the Committee adopted draft resolution A/C.3/71/L.39/Rev.1, as orally revised (see para. 137, draft resolution XIV).

129. After the adoption, statements were made by the representatives of the Russian Federation, the United States of America and Canada.

O. Draft resolution A/C.3/71/L.40/Rev.1

130. At its 56th meeting, on 22 November, the Committee had before it a draft resolution entitled "The role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights", (A/C.3/71/L.40/Rev.1) which replaced draft resolution A/C.3/71/L.40 and was submitted by Australia, Austria, Azerbaijan, Bahrain, Bosnia and Herzegovina, Croatia, Cyprus, Djibouti, Finland, Germany, Guatemala, Iceland, Israel, Jordan, Kazakhstan, Luxembourg, Madagascar, Mauritania, Mongolia, Morocco, the Netherlands, Switzerland and the United Kingdom of Great Britain and Northern Ireland. Subsequently, Albania, Algeria, Andorra, Argentina, Armenia, Belgium, Benin, Brazil, Bulgaria, Burkina Faso, Burundi, Canada, Chile, the Comoros, the Congo, Costa Rica, Côte d'Ivoire, Czechia, Denmark, Egypt, El Salvador, Eritrea, Estonia, France, Georgia, Ghana, Greece, Guinea, Honduras, Hungary, India, Ireland, Italy, Japan, Latvia, Lebanon, Liberia, Libya, Lithuania, Mali, Malta, Montenegro, New Zealand, Norway, Panama, Peru, Poland, Portugal, Qatar, the Republic of Korea, the Republic of Moldova, Romania, Samoa, Senegal, Serbia, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Thailand, Tunisia, Turkey, Uganda, Ukraine, the United Republic of Tanzania, Uruguay and Zambia joined in sponsoring the draft resolution.

131. At the same meeting, a statement was made by the representative of the Office of the United Nations High Commissioner for Human Rights.

132. Also at the same meeting, the representative of Morocco made a statement.

133. Also at its 56th meeting, the Committee adopted draft resolution A/C.3/71/L.40/Rev.1 (see para. 137, draft resolution XV).

P. Draft resolutions A/C.3/71/L.41 and A/C.3/71/L.41/Rev.1

134. At the 47th meeting, on 10 November, the representative of Azerbaijan, also on behalf of El Salvador, introduced a draft resolution entitled "Missing persons" (A/C.3/71/L.41). Subsequently, Belarus, Georgia, Kazakhstan, Morocco, Panama, Peru, Uruguay and Uzbekistan joined in sponsoring the draft resolution.

135. At its 56th meeting, on 22 November, the Committee had before it draft resolution A/C.3/71/L.41/Rev.1, submitted by sponsors of draft resolution A/C.3/71/L.41 and Guatemala, Japan, Paraguay and the Republic of Moldova. Subsequently, Albania, Andorra, Argentina, Armenia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Egypt, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Montenegro, the Netherlands, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tajikistan, Tunisia, Ukraine, the United States of America and Venezuela (Bolivarian Republic of) joined in sponsoring the draft resolution.

136. At the same meeting, the Committee adopted draft resolution A/C.3/71/L.41/Rev.1 (see para. 137, draft resolution XVI).

III. Recommendations of the Third Committee

137. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Human rights and extreme poverty

The General Assembly,

Guided by the purposes and principles contained in the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights,[1] the International Covenant on Economic, Social and Cultural Rights[2] and the International Covenant on Civil and Political Rights,[2] the International Convention on the Elimination of All Forms of Racial Discrimination,[3] the Convention on the Elimination of All Forms of Discrimination against Women,[4] the Convention on the Rights of the Child,[5] the Convention on the Rights of Persons with Disabilities[6] and all other human rights instruments adopted by the United Nations,

Recalling its resolution 47/196 of 22 December 1992, by which it declared 17 October the International Day for the Eradication of Poverty, and its resolution 62/205 of 19 December 2007, by which it proclaimed the Second United Nations Decade for the Eradication of Poverty (2008-2017), as well as its resolution 69/183 of 18 December 2014 and its previous resolutions on human rights and extreme poverty, in which it reaffirmed that extreme poverty and exclusion from society constituted a violation of human dignity and that urgent national and international action was therefore required to eliminate them,

Recalling also its resolution 52/134 of 12 December 1997, in which it recognized that the enhancement of international cooperation in the field of human rights was essential for the effective understanding, promotion and protection of all human rights,

Recalling further Human Rights Council resolutions 2/2 of 27 November 2006,[7] 7/27 of 28 March 2008,[8] 8/11 of 18 June 2008,[9] 12/19 of 2 October 2009,[10] 15/19 of 30 September 2010,[11] 17/13 of 17 June 2011[12] and 26/3 of 26 June 2014[13]

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[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] United Nations, *Treaty Series*, vol. 660, No. 9464.
[4] Ibid., vol. 1249, No. 20378.
[5] Ibid., vol. 1577, No. 27531.
[6] Ibid., vol. 2515, No. 44910.
[7] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. I, sect. A.
[8] Ibid., *Sixty-third Session, Supplement No. 53* (A/63/53), chap. II, sect. A.
[9] Ibid., chap. III, sect. A.
[10] Ibid., *Sixty-fifth Session, Supplement No. 53* and corrigendum (A/65/53 and Corr.1), chap. I, sect. A.
[11] Ibid., *Supplement No. 53A* (A/65/53/Add.1), chap. II.
[12] Ibid., *Sixty-sixth Session, Supplement No. 53* (A/66/53), chap. III, sect. A.
[13] Ibid., *Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. V, sect. A.

on human rights and extreme poverty, and in this regard underlining the imperative need for their full and effective implementation,

Recalling Human Rights Council resolution 21/11 of 27 September 2012,[14] by which the Council adopted the guiding principles on extreme poverty and human rights[15] as a useful tool for States in the formulation and implementation of poverty reduction and eradication policies, as appropriate, and encouraging States to implement the guiding principles,

Reaffirming its resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", in which it adopted a comprehensive, far-reaching and people-centred set of universal and transformative Sustainable Development Goals and targets, its commitment to working tirelessly for the full implementation of the Agenda by 2030, its recognition that eradicating poverty in all its forms and dimensions, including extreme poverty, is the greatest global challenge and an indispensable requirement for sustainable development, and its commitment to achieving sustainable development in its three dimensions — economic, social and environmental — in a balanced and integrated manner,

Recalling that the Sustainable Development Goals and targets seek to build on the Millennium Development Goals and complete what they did not achieve, and that they seek to realize the human rights of all and to achieve gender equality and the empowerment of all women and girls,

Reaffirming its resolution 69/313 of 27 July 2015 on the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, which is an integral part of the 2030 Agenda for Sustainable Development, supports and complements it, helps to contextualize its means of implementation targets with concrete policies and actions, and reaffirms the strong political commitment to address the challenge of financing and creating an enabling environment at all levels for sustainable development in the spirit of global partnership and solidarity,

Concerned that, during the Second United Nations Decade for the Eradication of Poverty (2008-2017), while there has been progress in reducing poverty, especially in some middle-income countries, such progress has been uneven and the number of people living in poverty in some countries continues to increase, with women, children and older persons constituting the majority of those most affected, especially in the least developed countries and particularly in sub-Saharan Africa,

Reaffirming the Vienna Declaration and Programme of Action,[16] which states the right to development, as established in the Declaration on the Right to Development,[17] as a universal and inalienable right and an integral part of fundamental human rights,

Acknowledging the significant progress made in several parts of the world in combating extreme poverty, however, deeply concerned that extreme poverty persists in all countries of the world, regardless of their economic, social and cultural situation, and is particularly severe in developing countries, and that it

[14] Ibid., *Sixty-seventh Session, Supplement No. 53A* (A/67/53/Add.1), chap. II.
[15] A/HRC/21/39.
[16] A/CONF.157/24 (Part I), chap. III.
[17] Resolution 41/128, annex.

extends to and manifests itself in, among other things, social exclusion, hunger, vulnerability to trafficking in persons, disease, lack of adequate shelter, illiteracy and hopelessness,

Deeply concerned that gender inequality, violence and discrimination exacerbate extreme poverty, disproportionally impacting women and girls,

Stressing that special attention should be given to those who are living in extreme poverty and in vulnerable situations, in particular women, children, youth, older persons, persons with disabilities and indigenous peoples,

Concerned by the challenges faced today, including those derived from the ongoing impact of the financial and economic crisis, the global food crisis, volatile food prices and other ongoing concerns over food security, epidemics and the large movements of refugees and migrants, as well as the increasing challenges posed by climate change and the loss of biodiversity, and by the resulting increase in the number of people living in extreme poverty, and their negative effect on the capacity of all States, especially developing countries, to fight extreme poverty,

Recognizing that the eradication of extreme poverty is a major challenge within the process of globalization that requires the coordination and continuation of inclusive policies through decisive national action and international cooperation, and also recognizing in this context the role of the private sector, including the corporate sector, in the eradication of extreme poverty,

Recognizing also that social protection systems make a critical contribution to the realization of human rights for all, in particular for those who are in vulnerable or marginalized situations and are trapped in poverty and subject to discrimination,

Recognizing further that persistent and growing inequalities within and among countries are a major challenge to poverty eradication, particularly affecting those who are living in extreme poverty and in vulnerable situations,

Stressing the necessity of better understanding and addressing the multidimensional causes and consequences of extreme poverty,

Reaffirming that, since the existence of widespread extreme poverty inhibits the full and effective enjoyment of all human rights and may, in some situations, constitute a threat to the right to life, its immediate alleviation and eventual eradication must remain a high priority for the international community,

Stressing that respect for all human rights, which are universal, indivisible, interdependent and interrelated, is of crucial importance for all policies and programmes to fight extreme poverty,

Underlining the priority and urgency given by Heads of State and Government to the eradication of extreme poverty, as expressed in the outcomes of the major United Nations conferences and summits in the economic, social and related fields,

Reaffirming that democracy, development and the full and effective enjoyment of human rights and fundamental freedoms are interdependent and mutually reinforcing and that they contribute to the eradication of extreme poverty,

1. *Reaffirms* that extreme poverty, deep inequality and exclusion constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them;

2. *Also reaffirms* that it is essential for States to foster participation by the poorest people in the decision-making process in the societies in which they live, in the promotion of human rights and in efforts to combat extreme poverty and exclusion and that it is essential for people living in and affected by poverty and in situations of vulnerability to be empowered to organize themselves and to participate in all aspects of political, economic, social, cultural and civic life, in particular the planning and implementation of policies that affect them, thus enabling them to become genuine partners in development;

3. *Emphasizes* that extreme poverty is a major issue to be addressed by Governments, civil society, community-based social organizations, the private sector, including the corporate sector, the United Nations system and international financial institutions, and in this context reaffirms that political commitment is a prerequisite for the eradication of poverty;

4. *Also emphasizes* the need to accord due consideration and priority to poverty eradication within the United Nations development agenda, while stressing the importance of addressing the causes and challenges of poverty through integrated, coordinated and coherent strategies at the national, intergovernmental and inter-agency levels, consistent with the outcomes of the major United Nations conferences and summits in the economic, social and related fields;

5. *Reaffirms* that the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights and renders democracy and popular participation fragile;

6. *Recognizes* the need to promote respect for human rights and fundamental freedoms in order to address the most pressing social needs of people living in poverty, including through the design and development of appropriate mechanisms to strengthen and consolidate democratic institutions and governance;

7. *Reaffirms* the commitments contained in the 2030 Agenda for Sustainable Development,[18] in particular the commitments to leave no one behind, to reach the furthest behind and the most vulnerable and to achieve Sustainable Development Goal 1, including by sparing no effort to fight against and eradicate extreme poverty, which is currently measured as people living on less than $1.25 a day, for all people everywhere by 2030;

8. *Also reaffirms* the commitment made at the 2005 World Summit to eradicate poverty and promote sustained economic growth, sustainable development and global prosperity for all, including women and girls;[19]

9. *Further reaffirms* that the objective of the Second United Nations Decade for the Eradication of Poverty (2008-2017) is to support, in an efficient and coordinated manner, the follow-up to the implementation of the internationally

[18] Resolution 70/1.

[19] See resolution 60/1.

agreed development goals relating to the eradication of poverty, and to coordinate international support to that end;

10. *Recalls* that promoting universal access to social services and providing social protection floors can make an important contribution to consolidating and achieving further development gains and that social protection systems that address and reduce inequality and social exclusion are essential for protecting the gains made towards the achievement of the Sustainable Development Goals, and in this regard takes note of Social Protection Floors Recommendation, 2012 (No. 202), of the International Labour Organization;

11. *Encourages* States, when designing, implementing, monitoring and evaluating social protection programmes, to ensure gender mainstreaming and the promotion and protection of all human rights in accordance with their obligations under international human rights law, throughout this process;

12. *Also encourages* States to take all necessary measures to eliminate discrimination against all persons, in particular those living in poverty, to refrain from adopting any laws, regulations or practices denying or limiting the enjoyment of all human rights and fundamental freedoms, including economic, social and cultural rights, and to ensure that people, in particular those living in poverty, have equal access to justice;

13. *Welcomes* the ongoing efforts to strengthen and support South-South cooperation and triangular cooperation, recognizing their contributions to the efforts of developing countries to collaborate in the eradication of poverty, and stresses that South-South cooperation is not a substitute for, but rather a complement to, North-South cooperation;

14. *Encourages* the international community to strengthen its efforts to address challenges that are contributing to extreme poverty, including those derived from the ongoing impact of the financial and economic crisis, the global food crisis, volatile food prices and other ongoing concerns over food security, epidemics and the increasing challenges posed by climate change and the loss of biodiversity in all parts of the world, especially in developing countries, by enhancing cooperation to help to build national capacities;

15. *Reaffirms* the critical role of quality education and lifelong learning for all in achieving poverty eradication and other development goals, as envisaged in the 2030 Agenda for Sustainable Development, in particular free, equitable and quality primary and secondary education and training for eradicating illiteracy, efforts towards expanded secondary and higher education as well as vocational education and technical training, especially for girls and women, the creation of human resources and infrastructure capabilities and the empowerment of those living in poverty, also reaffirms in this context the Dakar Framework for Action, adopted at the World Education Forum on 28 April 2000,[20] and the Incheon Declaration: Education 2030: Towards inclusive and equitable quality education and lifelong learning for all, adopted at the World Education Forum 2015,[21] and

[20] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

[21] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World*

recognizes the importance of the United Nations Educational, Scientific and Cultural Organization strategy for the eradication of poverty, especially extreme poverty, in supporting the Education for All programmes as tools for achieving Sustainable Development Goal 4 by 2030;

16. *Invites* the United Nations High Commissioner for Human Rights to continue to give high priority to the question of the relationship between extreme poverty and human rights, and also invites his Office to pursue further work in this area;

17. *Calls upon* States, United Nations bodies, in particular the Office of the United Nations High Commissioner for Human Rights and the United Nations Development Programme, intergovernmental organizations and non-governmental organizations, to continue to give appropriate attention to the links between human rights and extreme poverty, and encourages the private sector, including the corporate sector, and international financial institutions to proceed likewise;

18. *Takes note with appreciation* of the guiding principles on extreme poverty and human rights,[15] adopted by the Human Rights Council in its resolution 21/11,[14] as a useful tool for States in the formulation and implementation of poverty reduction and eradication policies, as appropriate;

19. *Encourages* Governments, relevant United Nations bodies, funds and programmes and the specialized agencies, other intergovernmental organizations and national human rights institutions, as well as non-governmental organizations and non-State actors, and the private sector, including the corporate sector, to consider the guiding principles in the formulation and implementation of their policies and measures concerning persons affected by extreme poverty;

20. *Requests* the Office of the United Nations High Commissioner for Human Rights to disseminate the guiding principles, as appropriate;

21. *Welcomes* the efforts of entities throughout the United Nations system to incorporate the 2030 Agenda and the Sustainable Development Goals set out therein into their work;

22. *Takes note* of the work undertaken by the Special Rapporteur of the Human Rights Council on extreme poverty and human rights, including his report submitted to the General Assembly at its seventieth session[22] and his report submitted to the General Assembly at its seventy-first session,[23] and also notes the work of the Secretary-General to address the issues referred to therein;

23. *Decides* to consider the question further at its seventy-third session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms" of the item entitled "Promotion and protection of human rights".

Education Forum, Incheon, Republic of Korea, 19-22 May 2015 (Paris, 2015).

[22] A/70/274.

[23] A/71/367.

Draft resolution II
Moratorium on the use of the death penalty

The General Assembly,

Guided by the purposes and principles contained in the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights,[1] the International Covenant on Civil and Political Rights[2] and the Convention on the Rights of the Child,[3]

Recalling the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty,[4] and in this regard welcoming the increasing number of accessions to and ratifications of the Second Optional Protocol,

Reaffirming its resolutions 62/149 of 18 December 2007, 63/168 of 18 December 2008, 65/206 of 21 December 2010, 67/176 of 20 December 2012 and 69/186 of 18 December 2014 on the question of a moratorium on the use of the death penalty, in which the General Assembly called upon States that still maintain the death penalty to establish a moratorium on executions with a view to abolishing it,

Welcoming all relevant decisions and resolutions of the Human Rights Council,

Mindful that any miscarriage or failure of justice in the implementation of the death penalty is irreversible and irreparable,

Convinced that a moratorium on the use of the death penalty contributes to respect for human dignity and to the enhancement and progressive development of human rights, and considering that there is no conclusive evidence of the deterrent value of the death penalty,

Noting ongoing local and national debates and regional initiatives on the death penalty, as well as the readiness of an increasing number of Member States to make available to the public information on the use of the death penalty, and also, in this regard, the decision by the Human Rights Council in its resolution 26/2 of 26 June 2014[5] to convene biennial high-level panel discussions in order to further exchange views on the question of the death penalty,

Recognizing the role of national human rights institutions in contributing to ongoing local and national debates and regional initiatives on the death penalty,

Welcoming the considerable movement towards the abolition of the death penalty globally and the fact that many States are applying a moratorium, including

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[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[4] United Nations, *Treaty Series*, vol. 1642, No. 14668.
[5] See *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. V, sect. A.

long-standing moratoriums, either in law or in practice, on the use of the death penalty,

Emphasizing the need to ensure that persons facing the death penalty are treated with humanity and with respect for their inherent dignity and in compliance with their rights under international human rights law,

Noting the technical cooperation among Member States, as well as the role of relevant United Nations entities and human rights mechanisms, in supporting State efforts to establish moratoriums on the death penalty,

Bearing in mind the work of special procedures mandate holders who have addressed human rights issues related to the death penalty within the framework of their respective mandates,

1. *Reaffirms* the sovereign right of all countries to develop their own legal systems, including determining appropriate legal penalties, in accordance with their international law obligations;

2. *Expresses its deep concern* about the continued application of the death penalty;

3. *Welcomes* the report of the Secretary-General on the implementation of resolution 69/186[6] and the recommendations contained therein;

4. *Also welcomes* the steps taken by some States to reduce the number of offences for which the death penalty may be imposed, as well as steps taken to limit its application;

5. *Further welcomes* initiatives and political leadership encouraging national discussions and debates on the possibility of moving away from capital punishment through domestic decision-making;

6. *Welcomes* the decisions made by an increasing number of States from all regions, at all levels of government, to apply a moratorium on executions, followed in many cases by the abolition of the death penalty;

7. *Calls upon* all States:

(a) To respect international standards that provide safeguards guaranteeing protection of the rights of those facing the death penalty, in particular the minimum standards, as set out in the annex to Economic and Social Council resolution 1984/50 of 25 May 1984, as well as to provide the Secretary-General with information in this regard;

(b) To comply with their obligations under article 36 of the 1963 Vienna Convention on Consular Relations,[7] particularly the right to receive information on consular assistance;

(c) To make available relevant information, disaggregated by sex, age, and race, as applicable, and other applicable criteria, with regard to their use of the death penalty, inter alia, the number of persons sentenced to death, the number of persons on death row and the number of executions carried out, the number of death

[6] A/71/332.

[7] United Nations, *Treaty Series*, vol. 596, No. 8638.

sentences reversed or commuted on appeal and information on any scheduled execution, which can contribute to possible informed and transparent national and international debates, including on the obligations of States pertaining to the use of the death penalty;

(d) To progressively restrict the use of the death penalty and not to impose capital punishment for offences committed by persons below 18 years of age, on pregnant women or on persons with mental or intellectual disabilities;

(e) To reduce the number of offences for which the death penalty may be imposed;

(f) To ensure that those facing the death penalty can exercise their right to apply for pardon or commutation of their death sentence by ensuring that clemency procedures are fair and transparent and that prompt information is provided at all stages of the process;

(g) To establish a moratorium on executions with a view to abolishing the death penalty;

8. *Calls upon* States which have abolished the death penalty not to reintroduce it, and encourages them to share their experience in this regard;

9. *Encourages* States which have a moratorium to maintain it and to share their experience in this regard;

10. *Calls upon* States that have not yet done so to consider acceding to or ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;[4]

11. *Requests* the Secretary-General to report to the General Assembly at its seventy-third session on the implementation of the present resolution;

12. *Decides* to continue consideration of the matter at its seventy-third session under the item entitled "Promotion and protection of human rights".

Draft resolution III
Human rights in the administration of justice

The General Assembly,

Bearing in mind the principles of the Universal Declaration of Human Rights[1] and the provisions of the International Covenant on Civil and Political Rights and the Optional Protocols thereto,[2] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol thereto,[3] the International Convention for the Protection of All Persons from Enforced Disappearance,[4] the Convention on the Elimination of All Forms of Discrimination against Women,[5] the Convention on the Rights of the Child,[6] and the International Covenant on Economic, Social and Cultural Rights,[7] as well as all other relevant international treaties,

Calling attention to the numerous international standards in the field of the administration of justice,

Recalling all the resolutions of the General Assembly, the Human Rights Council, the Commission on Human Rights and the Economic and Social Council that are relevant to the subject of human rights in the administration of justice, including General Assembly resolution 69/172 of 18 December 2014 and Human Rights Council resolution 30/7 of 1 October 2015,

Taking note of the report of the Secretary-General on strengthening and coordinating United Nations rule of law activities,[8]

Welcoming the adoption of the revised United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules),[9]

Reaffirming the importance of international standards and norms in crime prevention and criminal justice, including in relation to drug-related crimes, as recognized by Member States in the outcome document of the thirtieth special session of the General Assembly, entitled "Our joint commitment to effectively addressing and countering the world drug problem",[10]

Welcoming the work of all special procedures of the Human Rights Council that address human rights in the administration of justice in the discharge of their mandates,

Taking note of the work of all human rights treaty body mechanisms on human rights in the administration of justice, inter alia, of general comments No. 21 on the

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[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex; and United Nations, *Treaty Series*, vol. 1642, No. 14668.
[3] United Nations, *Treaty Series*, vols. 1465 and 2375, No. 24841.
[4] Resolution 61/177, annex.
[5] United Nations, *Treaty Series*, vol. 1249, No. 20378.
[6] Ibid., vol. 1577, No. 27531.
[7] See resolution 2200 A (XXI), annex.
[8] A/71/169.
[9] Resolution 70/175, annex.
[10] Resolution S-30/1.

humane treatment of persons deprived of their liberty,[11] No. 32 on the right to equality before courts and tribunals and to a fair trial[12] and No. 35 on liberty and security of persons, adopted by the Human Rights Committee, and general comments No. 10 on children's rights in juvenile justice[13] and No. 13 on the right of the child to freedom from all forms of violence,[14] adopted by the Committee on the Rights of the Child,

Noting with appreciation the important work in the field of the administration of justice of the United Nations Office on Drugs and Crime, the Office of the United Nations High Commissioner for Human Rights, the United Nations Development Programme, the United Nations Children's Fund, the Department of Peacekeeping Operations of the Secretariat and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) as well as the work of the Special Representative of the Secretary-General on Violence against Children and the Special Representative of the Secretary-General for Children and Armed Conflict,

Noting with appreciation also the thematic report of the Special Representative of the Secretary-General on Violence against Children entitled *Safeguarding the Rights of Girls in the Criminal Justice System: Preventing Violence, Stigmatization and Deprivation of Liberty*, the report of the Special Rapporteur on minority issues concerning minorities in the criminal justice system[15] and the interim report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment,[16]

Noting with satisfaction the work of the Interagency Panel on Juvenile Justice and of its members,

Encouraging continued regional and cross-regional efforts, the sharing of best practices and the provision of technical assistance in the field of juvenile justice, and noting in this regard the World Congress on Juvenile Justice, held in Geneva from 26 to 30 January 2015,

Convinced that the independence and impartiality of the judiciary and the integrity of the judicial system as well as an independent legal profession are essential prerequisites for the protection of human rights, the rule of law, good governance and democracy and for ensuring that there is no discrimination in the administration of justice and should therefore be respected in all circumstances,

Recalling that every State should provide an effective framework of remedies to redress human rights grievances or violations,

Emphasizing that the right to access to justice for all forms an important basis for strengthening the rule of law through the administration of justice,

Welcoming the inclusion in Sustainable Development Goal 16, on the promotion of just, peaceful and inclusive societies, of the target to promote the rule

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[11] *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 40* (A/47/40), annex VI.B.

[12] Ibid., *Sixty-second Session, Supplement No. 40* (A/62/40), vol. I, annex VI.

[13] Ibid., *Sixty-third Session, Supplement No. 41* (A/63/41), annex IV.

[14] Ibid., *Sixty-seventh Session, Supplement No. 41* (A/67/41), annex V.

[15] A/70/212.

[16] A/71/298.

of law at the national and international levels and to ensure equal access to justice for all,

Mindful of the importance of ensuring respect for the rule of law and human rights in the administration of justice as a crucial contribution to building peace and justice and ending impunity,

Recognizing the importance of the principle that, except for those lawful limitations that are demonstrably necessitated by the fact of incarceration, persons deprived of their liberty shall retain their non-derogable human rights and all other human rights and fundamental freedoms,

Concerned about the negative impact of overincarceration and overcrowding on the enjoyment of human rights, and acknowledging that overincarceration constitutes one of the major underlying causes of overcrowding,

Recalling that the social rehabilitation and reintegration of persons deprived of their liberty shall be among the essential aims of the criminal justice system, ensuring, as far as possible, that offenders are able to lead a law-abiding and self-supporting life upon their return to society,

Recognizing the need for Governments to take measures, within the justice system, particularly the criminal justice system, to prevent discrimination, inter alia, against persons belonging to national or ethnic, religious and linguistic minorities and to increase their effective participation within the system,

Aware of the need for special vigilance with regard to the specific situation of children, juveniles and women in the administration of justice, in particular while they are deprived of their liberty, and their vulnerability to various forms of violence, abuse, injustice and humiliation,

Reaffirming that children who are victims and witnesses of crime and violence are particularly vulnerable and require special protection, assistance and support appropriate to their age, level of maturity and needs, in order to prevent further hardship and trauma that may result from their participation in the criminal justice process,

Recognizing the specific situation and needs of children formerly associated with armed forces or armed groups when accused of crimes under international law allegedly committed while they were associated with armed forces or armed groups,

Reaffirming that the best interests of the child shall be a primary consideration in all actions concerning the child in the administration of justice, including in relation to pretrial measures, as well as being an important consideration in all matters concerning the child related to sentencing of his or her parents, or, where applicable, legal guardians or primary caregivers,

1. *Takes note with appreciation* of the most recent report of the Secretary-General on human rights in the administration of justice;[17]

2. *Also takes note with appreciation* of the reports of the United Nations High Commissioner for Human Rights on the protection of human rights of

[17] A/71/405.

juveniles deprived of their liberty,[18] on access to justice for children[19] and on the human rights implications of overincarceration and overcrowding[20] and the joint report of the Office of the United Nations High Commissioner for Human Rights, the United Nations Office on Drugs and Crime and the Special Representative of the Secretary-General on Violence against Children on prevention of and responses to violence against children within the juvenile justice system,[21] submitted to the Human Rights Council;

3. *Reaffirms* the importance of the full and effective implementation of all United Nations standards on human rights in the administration of justice, and invites States to assess their national legislation and practice against those standards;

4. *Invites* States to make use of technical assistance offered by the relevant United Nations entities and programmes in order to strengthen national capacities and infrastructures in the field of the administration of justice;

5. *Appeals* to Governments to include, in their national development plans, the effective administration of justice and equal access to justice as an integral part of the development process, with a view to promoting and protecting human rights, and to allocate adequate resources for the provision of legal aid services, and invites the international community to respond favourably to requests for financial and technical assistance for the enhancement and strengthening of the administration of justice;

6. *Stresses* the special need for national capacity-building in the field of the administration of justice, in particular through reform of the judiciary, the police and the penal system, as well as juvenile justice reform, and through the encouragement of independence, accountability and transparency in the judiciary, in order to establish and maintain stable societies and the rule of law in post-conflict situations, and welcomes the role of the Office of the High Commissioner in supporting the establishment and functioning of transitional justice mechanisms in post-conflict situations;

7. *Reaffirms* that no one should be unlawfully or arbitrarily deprived of his or her liberty, and notes the principles of necessity and proportionality in this regard;

8. *Calls upon* States to apply individual criminal responsibility and to refrain from detaining persons based solely on their family ties with an alleged offender;

9. *Also calls upon* States to ensure that anyone who is deprived of his or her liberty through arrest or detention has prompt access to a competent court with the effective power to determine the lawfulness of the detention and to order release if the detention or imprisonment is determined not to be lawful and prompt access to legal counsel, in accordance with their international obligations and commitments;

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[18] A/HRC/21/26.
[19] A/HRC/25/35 and Add.1 and A/HRC/27/25.
[20] A/HRC/30/19.
[21] A/HRC/21/25.

10. *Calls upon* all States to consider establishing, maintaining or enhancing independent national mechanisms with the mandate to monitor all places of detention, including by making unannounced visits, and to hold private interviews without witnesses with all persons deprived of liberty, inter alia, in line with the revised United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules);[9]

11. *Affirms* that States must ensure that any measure taken to combat terrorism, including in the administration of justice, complies with their obligations under international law, in particular international human rights, refugee and humanitarian law;

12. *Recalls* the absolute prohibition of torture in international law, and calls upon States to address and prevent the detention conditions, treatment and punishment of persons deprived of their liberty that amount to cruel, inhuman or degrading treatment or punishment;

13. *Calls upon* States to investigate promptly, effectively and impartially all alleged human rights violations suffered by persons deprived of their liberty, in particular cases involving death, torture and cruel, inhuman or degrading treatment or punishment, to provide effective remedy to the victims, in accordance with their international obligations and commitments and to ensure that detention administrations fully cooperate with the investigating authority and preserve all evidence;

14. *Urges* States to endeavour to reduce, where appropriate, pretrial detention, which should be a measure of last resort and for as short a period as possible by, inter alia, adopting legislative and administrative measures and policies on its preconditions, limitations, duration and alternatives and by taking measures aimed at the implementation of existing legislation, as well as by ensuring access to justice and legal advice and assistance;

15. *Encourages* States to address overcrowding in detention facilities by taking effective measures, including through enhancing the availability and use of alternatives to pretrial detention and custodial sentences bearing in mind the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules)[22] and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),[23] access to legal aid, mechanisms for crime prevention, early release and rehabilitation programmes and the efficiency as well as the capacity of the criminal justice system and its facilities bearing in mind the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems;[24]

16. *Continues to encourage* States to pay due attention to the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) when developing and implementing relevant legislation, procedures, policies and action plans, and invites relevant special procedure mandate holders, the Office of the High Commissioner, the United

[22] Resolution 45/110, annex.
[23] Resolution 65/229, annex.
[24] Resolution 67/187, annex.

Nations Office on Drugs and Crime and all other relevant organizations to take those rules into consideration in their activities;

17. *Encourages* States to review penal policies that can contribute to overincarceration and overcrowding, in particular regarding so called "zero-tolerance policies", such as the application of mandatory pretrial detention and mandatory minimum sentences especially for minor and/or non-violent crimes;

18. *Recognizes* that every child and juvenile alleged as, accused of or recognized as having infringed the law, particularly those who are deprived of their liberty, as well as child victims and witnesses of crimes, should be treated in a manner consistent with his or her rights, dignity and needs, in accordance with international law, bearing in mind relevant international standards on human rights in the administration of justice, taking into account also the age, gender, social circumstances and development needs of such children, and calls upon States parties to the Convention on the Rights of the Child[6] and States parties to the Optional Protocols to the Convention[25] to abide strictly by their principles and respective provisions;

19. *Reiterates the importance* of the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice,[26] and urges States to consider applying them, as appropriate, in the design, implementation, monitoring and evaluation of laws, policies, programmes, budgets and mechanisms aimed at eliminating violence against children in the field of crime prevention and criminal justice;

20. *Recalls* its resolution 69/157 of 18 December 2014, in which it invited the Secretary-General to commission an in-depth global study on children deprived of liberty, to be funded through voluntary contributions, and in this regard encourages Member States, United Nations agencies, funds, programmes and offices, as well as other relevant stakeholders, to support the elaboration of the study;

21. *Notes* the regional conference on oversight, inspection and monitoring of places where children are deprived of liberty in the framework of the criminal justice system organized in Buenos Aires on 19 and 20 May 2016 by the Special Representative of the Secretary-General on Violence against Children and the United Nations Children's Fund, and of the important recommendations that have been put forward in this regard;

22. *Encourages* States that have not yet integrated children's issues into their overall rule of law efforts to do so and to develop and implement a comprehensive and coordinated juvenile justice policy to prevent and address juvenile delinquency and to address risks and causes for children's contact with the juvenile and/or criminal justice system, as well as with a view to promoting, inter alia, the use of alternative measures, such as diversion and restorative justice, and complying with the principle that deprivation of liberty of children should be used only as a measure of last resort and for the shortest appropriate period of time, as well as to avoid, wherever possible, the use of pretrial detention for children;

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[25] United Nations, *Treaty Series*, vols. 2171 and 2173, No. 27531; and resolution 66/138, annex.

[26] Resolution 69/194, annex.

23. *Stresses* the importance of including reintegration strategies for former child offenders in juvenile justice policies, in particular through the provision of gender-sensitive education and life skills programmes, as well as treatment and services for substance abuse and mental health needs, with a view to their assuming a constructive role in society;

24. *Urges* States to take all necessary and effective measures, including legal reform where appropriate, to prevent and respond to all forms of violence against children within the justice system, including within the informal justice system, where it exists;

25. *Also urges* States to ensure that, under their legislation and practice, neither capital punishment nor life imprisonment without the possibility of release nor corporal punishment is imposed for offences committed by persons under 18 years of age, and encourages States to consider repealing all other forms of life imprisonment for offences committed by persons under 18 years of age;

26. *Encourages* States not to set the minimum age of criminal responsibility at too low an age level, bearing in mind the emotional, mental and intellectual maturity of the child, and in this respect notes the recommendation of the Committee on the Rights of the Child to increase the lower minimum age of criminal responsibility to the age of 12 years as the absolute minimum age, and to continue to increase it to a higher age level;[12]

27. *Also encourages* States to gather relevant information, including through data collection and research, concerning children within their criminal justice systems so as to improve their administration of justice, while being mindful of the children's right to privacy, with full respect for relevant international human rights instruments, and bearing in mind applicable international standards on human rights in the administration of justice;

28. *Stresses* the importance of paying greater attention to the impact on children of imprisonment or other sentences imposed upon their parents, while noting with interest the convening of and reports on all relevant meetings and panel discussions on these issues held by the Human Rights Council;[27]

29. *Invites* Governments to provide for tailored and interdisciplinary human rights training, including anti-racist, multicultural, gender-sensitive and child rights training, to all judges, lawyers, prosecutors, social workers, immigration and police officers and other professionals concerned, including personnel deployed in international field presences;

30. *Invites* States, upon their request, to benefit from technical advice and assistance provided by the relevant United Nations entities and programmes in order to strengthen national capacities and infrastructures in the field of the administration of justice;

31. *Invites* the Office of the High Commissioner and the United Nations Office on Drugs and Crime to reinforce their technical assistance to States, upon request and in accordance with their respective mandates, to strengthen the national capacity-building of States in the field of the administration of justice, in particular

[27] A/HRC/21/31 and A/HRC/25/33.

in post-conflict situations, and in this context to strengthen cooperation with relevant United Nations entities;

32. *Underlines* the importance of rebuilding and strengthening structures for the administration of justice and of respecting the rule of law and human rights, including in post-conflict situations, as a crucial contribution to building peace and justice and ending impunity, and in this respect requests the Secretary-General to further streamline and strengthen system-wide coordination and coherence of programmes and activities of the relevant parts of the United Nations system, including through the Rule of Law Coordination and Resource Group chaired by the Deputy Secretary-General, the Rule of Law Unit in the Executive Office of the Secretary-General and the joint global focal point for the police, justice and corrections areas in the rule of law in post-conflict and other crisis situations;

33. *Invites* States, in the context of the universal periodic review mechanism and in their reports under international human rights treaties, to consider addressing the promotion and protection of human rights in the administration of justice;

34. *Invites* relevant special procedure mandate holders of the Human Rights Council, as well as relevant treaty bodies, to give special attention to questions relating to the effective protection of human rights in the administration of justice, and to provide, wherever appropriate, specific recommendations in this regard, including proposals for advisory services and technical assistance measures;

35. *Requests* the Secretary-General to submit to the General Assembly at its seventy-third session a report on the latest developments, challenges and good practices in human rights in the administration of justice, including on efforts to ensure equal access to justice for all through the independent, impartial and effective administration of justice, and on the activities undertaken by the United Nations system as a whole;

36. *Decides* to continue its consideration of the question of human rights in the administration of justice at its seventy-third session under the item entitled "Promotion and protection of human rights".

Draft resolution IV
Declaration on the Right to Peace

The General Assembly,

Recalling all previous resolutions on the promotion of the right to peace and the promotion of peace as a vital requirement for the full enjoyment of all human rights by all, adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council, in particular Council resolution 20/15 of 5 July 2012,[1]

Stressing that peace is a vital requirement for the promotion and protection of all human rights for all,

Welcoming the adoption by the Human Rights Council, by its resolution 32/28 of 1 July 2016,[2] of the Declaration on the Right to Peace,

1. *Adopts* the Declaration on the Right to Peace, as contained in the annex to the present resolution;

2. *Invites* Governments, agencies and organizations of the United Nations system and intergovernmental and non-governmental organizations to disseminate the Declaration and to promote universal respect and understanding thereof;

3. *Decides* to continue consideration of the question of the promotion of the right to peace at its seventy-third session under the item entitled "Promotion and protection of human rights".

Annex
Declaration on the Right to Peace

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights,[3] the International Covenant on Civil and Political Rights,[4] the International Covenant on Economic, Social and Cultural Rights[4] and the Vienna Declaration and Programme of Action,[5]

Recalling also the Declaration on the Right to Development,[6] the United Nations Millennium Declaration,[7] the 2030 Agenda for Sustainable Development,[8] including the Sustainable Development Goals, and the 2005 World Summit Outcome,[9]

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[1] See *Official Records of the General Assembly, Sixty-seventh Session, Supplement No. 53* and corrigendum (A/67/53 and Corr.1), chap. IV, sect. A.

[2] Ibid., *Seventy-first Session, Supplement No. 53* (A/71/53), chap. V, sect. A.

[3] General Assembly resolution 217 A (III).

[4] See General Assembly resolution 2200 A (XXI), annex.

[5] A/CONF.157/24 (Part I), chap. III.

[6] General Assembly resolution 41/128, annex.

[7] General Assembly resolution 55/2.

[8] General Assembly resolution 70/1.

[9] General Assembly resolution 60/1.

Recalling further the Declaration on the Preparation of Societies for Life in Peace,[10] the Declaration on the Right of Peoples to Peace[11] and the Declaration[12] and Programme of Action[13] on a Culture of Peace, and other international instruments relevant to the subject of the present Declaration,

Recalling the Declaration on the Granting of Independence to Colonial Countries and Peoples,[14]

Recalling also that the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations[15] solemnly proclaimed the principle that States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations; the principle that States shall settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered; the duty not to intervene in matters within the domestic jurisdiction of any State, in accordance with the Charter; the duty of States to cooperate with one another in accordance with the Charter; the principle of equal rights and self-determination of peoples; the principle of the sovereign equality of States; and the principle that States shall fulfil in good faith the obligations assumed by them in accordance with the Charter,

Reaffirming the obligations of all Member States, as enshrined in the Charter, to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations, and to settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered,

Acknowledging that the fuller development of a culture of peace is integrally linked to the realization of the right of all peoples, including those living under colonial or other forms of alien domination or foreign occupation, to self-determination as enshrined in the Charter and embodied in the International Covenants on Human Rights, as well as in the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Convinced that any attempt aimed at the partial or total disruption of the national unity and territorial integrity of a State or country or at its political independence is incompatible with the purposes and principles of the Charter, as stated in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, contained in General Assembly resolution 2625 (XXV) of 24 October 1970,

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[10] General Assembly resolution 33/73.
[11] General Assembly resolution 39/11, annex.
[12] General Assembly resolution 53/243 A.
[13] General Assembly resolution 53/243 B.
[14] General Assembly resolution 1514 (XV).
[15] General Assembly resolution 2625 (XXV), annex.

Recognizing the importance of the settlement of disputes or conflicts through peaceful means,

Deeply deploring all acts of terrorism, recalling that the Declaration on Measures to Eliminate International Terrorism[16] declared that acts, methods and practices of terrorism constitute a grave violation of the purposes and principles of the United Nations and may pose a threat to international peace and security, jeopardize friendly relations among States, threaten the territorial integrity and security of States, hinder international cooperation and aim at the destruction of human rights, fundamental freedoms and the democratic bases of society, and reaffirming that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed,

Stressing that all measures taken in the fight against terrorism must be in compliance with the obligations of States under international law, including international human rights, refugee and humanitarian law, as well as those enshrined in the Charter,

Urging all States that have not yet done so to consider, as a matter of priority, becoming parties to international instruments related to terrorism,

Reaffirming that the promotion and protection of human rights for all and the rule of law are essential to the fight against terrorism, and recognizing that effective counter-terrorism measures and the protection of human rights are not conflicting goals, but are complementary and mutually reinforcing,

Reaffirming also the determination of the peoples of the United Nations, as expressed in the Preamble to the Charter, to save succeeding generations from the scourge of war, to reaffirm faith in fundamental human rights, to promote social progress and better standards of life in larger freedom, and to practice tolerance and live together in peace with one another as good neighbours,

Recalling that peace and security, development and human rights are the pillars of the United Nations system and the foundations for collective security and well-being, and recognizing that development, peace and security and human rights are interlinked and mutually reinforcing,

Recognizing that peace is not only the absence of conflict but also requires a positive, dynamic participatory process where dialogue is encouraged and conflicts are solved in a spirit of mutual understanding and cooperation, and socioeconomic development is ensured,

Recalling that the recognition of the inherent dignity and the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world, and recognizing that peace is promoted through the full enjoyment of all inalienable rights derived from the inherent dignity of all human beings,

Recalling also that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights can be fully realized,

[16] General Assembly resolution 49/60, annex.

Recalling further the world commitment to eradicate poverty and to promote sustained economic growth, sustainable development and global prosperity for all, and the need to reduce inequalities within and among countries,

Recalling the importance of the prevention of armed conflict in accordance with the purposes and principles of the Charter and of the commitment to promote a culture of prevention of armed conflict as a means of effectively addressing the interconnected security and development challenges faced by peoples throughout the world,

Recalling also that the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women, on equal terms with men in all fields,

Reaffirming that, since wars begin in the minds of human beings, it is in the minds of human beings that the defence of peace must be constructed, and recalling the importance of the settlement of disputes or conflicts through peaceful means,

Recalling the need for strengthened international efforts to foster a global dialogue for the promotion of a culture of tolerance and peace at all levels, based on respect for human rights and diversity of religions and beliefs,

Recalling also that development assistance and capacity-building based on the principle of national ownership in post-conflict situations should restore peace through rehabilitation, reintegration and reconciliation processes involving all those engaged, and recognizing the importance of the peacemaking, peacekeeping and peacebuilding activities of the United Nations for the global pursuit of peace and security,

Recalling further that the culture of peace and the education of humanity for justice, liberty and peace are indispensable to the dignity of human beings and constitute a duty that all nations must fulfil in a spirit of mutual assistance and concern,

Reaffirming that the culture of peace is a set of values, attitudes, traditions and modes of behaviour and ways of life, as identified in the Declaration on a Culture of Peace, and that all this should be fostered by an enabling national and international environment conducive to peace,

Recognizing the importance of moderation and tolerance as values contributing to the promotion of peace and security,

Recognizing also the important contribution that civil society organizations can make in building and preserving peace, and in strengthening a culture of peace,

Stressing the need for States, the United Nations system and other relevant international organizations to allocate resources to programmes aimed at strengthening a culture of peace and upholding human rights awareness through training, teaching and education,

Stressing also the importance of the contribution of the United Nations Declaration on Human Rights Education and Training[17] to the promotion of a culture of peace,

Recalling that respect for the diversity of cultures, tolerance, dialogue and cooperation, in a climate of mutual trust and understanding, are among the best guarantees of international peace and security,

Recalling also that tolerance is respect, acceptance and appreciation of the rich diversity of our world's cultures, our forms of expression and ways of being human, and the virtue that makes peace possible and contributes to the promotion of a culture of peace,

Recalling further that the constant promotion and realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities as an integral part of the development of a society as a whole and within a democratic framework based on the rule of law would contribute to the strengthening of friendship, cooperation and peace among peoples and States,

Recalling the need to design, promote and implement, at the national, regional and international levels, strategies, programmes and policies, and adequate legislation, which may include special and positive measures, for furthering equal social development and the realization of the civil and political, economic, social and cultural rights of all victims of racism, racial discrimination, xenophobia and related intolerance,

Recognizing that racism, racial discrimination, xenophobia and related intolerance, where they amount to racism and racial discrimination, are an obstacle to friendly and peaceful relations among peoples and nations, and are among the root causes of many internal and international conflicts, including armed conflicts,

Inviting solemnly all stakeholders to guide themselves in their activities by recognizing the high importance of practicing tolerance, dialogue, cooperation and solidarity among all human beings, peoples and nations of the world as a means to promote peace; to that end, present generations should ensure that both they and future generations learn to live together in peace with the highest aspiration of sparing future generations the scourge of war,

Declares the following:

Article 1

Everyone has the right to enjoy peace such that all human rights are promoted and protected and development is fully realized.

Article 2

States should respect, implement and promote equality and non-discrimination, justice and the rule of law, and guarantee freedom from fear and want as a means to build peace within and between societies.

[17] General Assembly resolution 66/137, annex.

Article 3

States, the United Nations and specialized agencies should take appropriate sustainable measures to implement the present Declaration, in particular the United Nations Educational, Scientific and Cultural Organization. International, regional, national and local organizations and civil society are encouraged to support and assist in the implementation of the present Declaration.

Article 4

International and national institutions of education for peace shall be promoted in order to strengthen among all human beings the spirit of tolerance, dialogue, cooperation and solidarity. To this end, the University for Peace should contribute to the great universal task of educating for peace by engaging in teaching, research, post-graduate training and dissemination of knowledge.

Article 5

Nothing in the present Declaration shall be construed as being contrary to the purposes and principles of the United Nations. The provisions included in the present Declaration are to be understood in accordance with the Charter of the United Nations, the Universal Declaration of Human Rights and relevant international and regional instruments ratified by States.

Draft resolution V
Promotion of a democratic and equitable international order

The General Assembly,

Recalling its previous resolutions on the promotion of a democratic and equitable international order, including resolution 70/149 of 17 December 2015, and Human Rights Council resolutions 18/6 of 29 September 2011[1] and 33/3 of 29 September 2016,[2]

Reaffirming the commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all, in accordance with the Charter of the United Nations, other instruments relating to human rights and international law,

Affirming that the enhancement of international cooperation for the promotion and protection of all human rights should continue to be carried out in full conformity with the purposes and principles of the Charter and international law, as set forth in Articles 1 and 2 of the Charter, and with full respect for, inter alia, sovereignty, territorial integrity, political independence, the non-use of force or the threat of force in international relations and non-intervention in matters that are essentially within the domestic jurisdiction of any State,

Recalling the Preamble to the Charter, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small,

Reaffirming that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights[3] can be fully realized,

Reaffirming also the determination expressed in the Preamble to the Charter to save succeeding generations from the scourge of war, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, to promote social progress and better standards of life in larger freedom, to practise tolerance and good-neighbourliness and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Stressing that the responsibility for managing worldwide economic and social issues, as well as threats to international peace and security, must be shared among the nations of the world and should be exercised multilaterally, and that in this regard the central role must be played by the United Nations, as the most universal and representative organization in the world,

Concerned about the continued abuse by Member States of the extraterritorial application of their national legislation in a manner that affects the sovereignty of

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[1] See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53A* and corrigendum (A/66/53/Add.1 and Corr.1), chap. II.

[2] Ibid., *Seventy-first Session, Supplement No. 53* (A/71/53/Add.1), chap. II.

[3] Resolution 217 A (III).

other States, the legitimate interests of entities or persons under their jurisdiction and the full enjoyment of human rights,

Considering the major changes taking place on the international scene and the aspirations of all peoples for an international order based on the principles enshrined in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Reaffirming that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Recognizing that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Emphasizing that democracy is not only a political concept, but that it also has economic and social dimensions,

Recognizing that democracy, respect for all human rights, including the right to development, transparent and accountable governance and administration in all sectors of society and effective participation by civil society are an essential part of the necessary foundations for the realization of social and people-centred sustainable development,

Noting with concern that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, inequitable distribution of wealth, marginalization and social exclusion,

Reaffirming that dialogue among religions, cultures and civilizations could contribute greatly to the enhancement of international cooperation at all levels,

Underlining the fact that it is imperative for the international community to ensure that globalization becomes a positive force for all the world's people and that only through broad and sustained efforts, based on our common humanity in all its diversity, can globalization be made fully inclusive and equitable,

Deeply concerned that the current global economic, financial, energy and food crises, resulting from a combination of several major factors, including

macroeconomic and other factors, such as environmental degradation, desertification and global climate change, natural disasters and the lack of financial resources and the technology necessary to confront their negative impact in developing countries, particularly in the least developed countries and small island developing States, represent a global scenario that is threatening the adequate enjoyment of all human rights and widening the gap between developed and developing countries,

Recognizing that a democratic and equitable order requires the reform of international financial institutions, in order to widen and strengthen the level of participation of developing countries in the international decision-making process, and a more transparent and open financial system, as well as adequate measures against illicit financial flows, such as tax fraud, tax evasion, illegal capital flight, money-laundering and the proceeds of corruption, and for improving tax transparency worldwide,

Stressing that efforts to make globalization fully inclusive and equitable must include policies and measures at the global level that correspond to the needs of developing countries and countries with economies in transition and are formulated and implemented with their effective participation,

Stressing also the need for adequate financing of, technology transfer to and capacity-building in developing countries, in particular the least developed countries, landlocked developing countries and small island developing States, including to support their efforts to adapt to climate change,

Having listened to the peoples of the world, and recognizing their aspirations to justice, to equality of opportunity for all, to the enjoyment of their human rights, including the right to development, to live in peace and freedom and to equal participation without discrimination in economic, social, cultural, civil and political life,

Recalling Human Rights Council resolutions 5/1 on institution-building of the Council and 5/2 on the Code of Conduct for Special Procedures Mandate Holders of the Council of 18 June 2007,[4] and stressing that all mandate holders shall discharge their duties in accordance with those resolutions and the annexes thereto,

Emphasizing the importance of the 2030 Agenda for Sustainable Development for the promotion of a democratic and equitable international order,

Resolved to take all measures within its power to secure a democratic and equitable international order,

1. *Affirms* that everyone is entitled to a democratic and equitable international order;

2. *Also affirms* that a democratic and equitable international order fosters the full realization of all human rights for all;

[4] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. IV, sect. A.

3. *Takes note* of the report of the Independent Expert of the Human Rights Council on the promotion of a democratic and equitable international order,[5] and in this regard notes, inter alia, its focus on the impact of taxation on human rights and the adverse impact of unfair fiscal and budgetary policies on the international order;

4. *Calls upon* all Member States to fulfil their commitment expressed in Durban, South Africa, during the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to maximize the benefits of globalization through, inter alia, the strengthening and enhancement of international cooperation to increase equality of opportunities for trade, economic growth and sustainable development, global communications through the use of new technologies and increased intercultural exchange through the preservation and promotion of cultural diversity,[6] and reiterates that only through broad and sustained efforts to create a shared future based upon our common humanity and all its diversity can globalization be made fully inclusive and equitable;

5. *Declares* that democracy includes respect for all human rights and fundamental freedoms and is a universal value based on the freely expressed will of people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives, and reaffirms the need for universal adherence to and implementation of the rule of law at both the national and international levels;

6. *Affirms* that a democratic and equitable international order requires, inter alia, the realization of the following:

(a) The right of all peoples to self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development;

(b) The right of peoples and nations to permanent sovereignty over their natural wealth and resources;

(c) The right of every human person and all peoples to development;

(d) The right of all peoples to peace;

(e) The right to an international economic order based on equal participation in the decision-making process, interdependence, mutual interest, solidarity and cooperation among all States;

(f) International solidarity, as a right of peoples and individuals;

(g) The promotion and consolidation of transparent, democratic, just and accountable international institutions in all areas of cooperation, in particular through the implementation of the principle of full and equal participation in their respective decision-making mechanisms;

(h) The right to equitable participation of all, without any discrimination, in domestic and global decision-making;

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[5] A/71/286.

[6] See A/CONF.189/12 and Corr.1, chap. I.

(i) The principle of equitable regional and gender-balanced representation in the composition of the staff of the United Nations system;

(j) The promotion of a free, just, effective and balanced international information and communications order based on international cooperation for the establishment of a new equilibrium and greater reciprocity in the international flow of information, in particular correcting the inequalities in the flow of information to and from developing countries;

(k) Respect for cultural diversity and the cultural rights of all, since this enhances cultural pluralism, contributes to a wider exchange of knowledge and understanding of cultural backgrounds, advances the application and enjoyment of universally accepted human rights across the world and fosters stable, friendly relations among peoples and nations worldwide;

(l) The right of every person and all peoples to a healthy environment and to enhanced international cooperation that responds effectively to the needs for assistance of national efforts to adapt to climate change, particularly in developing countries, and that promotes the fulfilment of international agreements in the field of mitigation;

(m) The promotion of equitable access to benefits from the international distribution of wealth through enhanced international cooperation, in particular in international economic, commercial and financial relations;

(n) The enjoyment by everyone of ownership of the common heritage of mankind in connection to the public right of access to culture;

(o) The shared responsibility of the nations of the world for managing worldwide economic and social development, as well as threats to international peace and security, which should be exercised multilaterally;

7. *Stresses* the importance of preserving the rich and diverse nature of the international community of nations and peoples, as well as respect for national and regional particularities and various historical, cultural and religious backgrounds, in the enhancement of international cooperation in the field of human rights;

8. *Also stresses* that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and reaffirms that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms for all;

9. *Reaffirms*, among other principles, the sovereign equality of States, non-intervention and non-interference in internal affairs;

10. *Urges* all actors on the international scene to build an international order based on inclusion, social justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

11. *Reaffirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of the developing countries;

12. *Underlines* that attempts to overthrow legitimate Governments by force disrupt the democratic and constitutional order, the legitimate exercise of power and the full enjoyment of human rights;

13. *Reaffirms* the need to continue working urgently for the establishment of a new international economic order based on equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems, which shall correct inequalities and redress existing injustices, make it possible to eliminate the widening gap between the developed and the developing countries and ensure steadily accelerating economic and social development and peace and justice for present and future generations, in accordance with relevant previous General Assembly resolutions, programmes of action and major conferences and summits in the economic, social and related areas;

14. *Also reaffirms* that the international community should devise ways and means to remove the current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world;

15. *Urges* States to continue their efforts, through enhanced international cooperation, towards the promotion of a democratic and equitable international order;

16. *Affirms* that a democratic and equitable international order, as prescribed in the Charter of the United Nations, cannot be achieved only through the deregulation of trade, markets and financial services;

17. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide all the human and financial resources necessary for the effective fulfilment of the mandate of the Independent Expert;

18. *Calls upon* all Governments to cooperate with and assist the Independent Expert in his task, to supply all necessary information requested by him and to consider responding favourably to the requests of the Independent Expert to visit their countries to enable him to fulfil his mandate more effectively;

19. *Requests* the Human Rights Council, the human rights treaty bodies, the Office of the United Nations High Commissioner for Human Rights, the special mechanisms extended by the Council and the Human Rights Council Advisory Committee to pay due attention, within their respective mandates, to the present resolution and to make contributions towards its implementation;

20. *Calls upon* the Office of the High Commissioner to build upon the issue of the promotion of a democratic and equitable international order;

21. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs, bodies and components, intergovernmental organizations, in particular the Bretton Woods institutions, and non-governmental organizations and to disseminate it on the widest possible basis;

22. *Requests* the Independent Expert to submit to the General Assembly at its seventy-second session an interim report on the implementation of the present resolution and invites the Independent Expert to continue his research into the impact of financial and economic policies pursued by international organizations and other institutions on a democratic and equitable international order, in particular by the World Bank and the International Monetary Fund;

23. *Decides* to continue consideration of the matter at its seventy-second session under the item entitled "Promotion and protection of human rights".

Draft resolution VI
The right to food

The General Assembly,

Reaffirming the Charter of the United Nations and its importance for the promotion and protection of all human rights and fundamental freedoms for all,

Reaffirming also all previous resolutions and decisions on the right to food adopted within the framework of the United Nations,

Recalling the Universal Declaration of Human Rights,[1] which provides that everyone has the right to a standard of living adequate for her or his health and well-being, including food, the Universal Declaration on the Eradication of Hunger and Malnutrition,[2] the United Nations Millennium Declaration,[3] in particular Millennium Development Goal 1 on eradicating extreme poverty and hunger by 2015, and the 2030 Agenda for Sustainable Development,[4] in particular the Sustainable Development Goals on ending hunger, achieving food security and improved nutrition and promoting sustainable agriculture and on ending poverty in all its forms everywhere,

Recalling also the provisions of the International Covenant on Economic, Social and Cultural Rights,[5] in which the fundamental right of every person to be free from hunger is recognized,

Bearing in mind the importance of the Rome Declaration on World Food Security, the World Food Summit Plan of Action and the Declaration of the World Food Summit: five years later, adopted in Rome on 13 June 2002,[6]

Reaffirming the importance of the recommendations contained in the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,[7] as well as the Rome Declaration on Nutrition and the Framework for Action, adopted in Rome on 21 November 2014,[8]

Acknowledging that the right to food is the right of every individual, alone or in community with others, to have physical and economic access at all times to sufficient, adequate, nutritious food, in conformity with, inter alia, the culture, beliefs, traditions, dietary habits and preferences of individuals, that is produced and consumed sustainably, thereby preserving access to food for future generations,

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[1] Resolution 217 A (III).

[2] *Report of the World Food Conference, Rome, 5-16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

[3] Resolution 55/2.

[4] Resolution 70/1.

[5] See resolution 2200 A (XXI), annex.

[6] A/57/499, annex.

[7] E/CN.4/2005/131, annex.

[8] World Health Organization, document EB 136/8, annexes I and II.

Reaffirming the Five Rome Principles for Sustainable Global Food Security contained in the Declaration of the World Summit on Food Security, adopted in Rome on 16 November 2009,[*]

Reaffirming also that all human rights are universal, indivisible, interdependent and interrelated and that they must be treated globally, in a fair and equal manner, on the same footing and with the same emphasis,

Reaffirming further that a peaceful, stable and enabling political, social and economic environment, at both the national and the international levels, is the essential foundation that will enable States to give adequate priority to food and nutrition security and poverty eradication,

Reiterating, as set out in the Rome Declaration on World Food Security, the Declaration of the World Food Summit and the Rome Declaration on Nutrition, that food should not be used as an instrument of political or economic pressure, and reaffirming in this regard the importance of international cooperation and solidarity, as well as the necessity of refraining from unilateral measures that are not in accordance with international law and the Charter and that endanger food and nutrition security,

Convinced that each State must adopt a strategy consistent with its resources and capacities to achieve its individual goals in implementing the recommendations contained in the Rome Declaration on World Food Security and the World Food Summit Plan of Action, as well as in the Rome Declaration on Nutrition and the Framework for Action, and, at the same time, cooperate regionally and internationally in order to organize collective solutions to global issues of food and nutrition security in a world of increasingly interlinked institutions, societies and economies where coordinated efforts and shared responsibilities are essential,

Recognizing that, despite the efforts made and the fact that some positive results have been achieved, the problems of hunger, food insecurity and malnutrition have a global dimension, there has not been sufficient progress in reducing hunger and that these problems could increase dramatically in some regions unless urgent, determined and concerted action is taken,

Recognizing also the complex character of the global food crisis, in which the right to adequate food has been threatened to be violated on a substantial scale, as a combination of several major factors, such as the effects of the global financial and economic crisis, environmental degradation, desertification and the impacts of global climate change, as well as natural disasters and the lack in many countries of the appropriate technology, investment and capacity-building necessary to confront its impact, particularly in developing countries, least developed countries and small island developing States, and the need for coherence and collaboration between international institutions at the global level,

Resolved to act to ensure that the human rights perspective is taken into account at the national, regional and international levels in measures to address the realization of the right to food,

[*] See Food and Agriculture Organization of the United Nations, document WSFS 2009/2.

Stressing the possible benefits of international trade to improve food and nutrition availability,

Stressing also that improving access to productive resources and investment in rural development is essential for eradicating hunger and poverty, in particular in developing countries, through, inter alia, the promotion of investments in appropriate small-scale irrigation and water management technologies in order to reduce vulnerability to droughts and tackle water scarcity, as well as in programmes, practices and policies to scale up agroecological approaches,

Expressing its deep concern at the number and scale of natural disasters, diseases and pest infestations, as well as the negative impact of climate change, and their increasing impact in recent years, which have resulted in substantial loss of life and livelihood and threatened agricultural production and food and nutrition security, in particular in developing countries,

Expressing its deep concern also over the negative effects of armed conflicts on the enjoyment of the right to food,

Emphasizing that a multisectoral approach that integrates nutrition across all sectors, including agriculture, health, water and sanitation, social protection and education, as well as a gender perspective, is critical to achieving global food and nutrition security and the realization of the right to food,

Recalling the endorsement of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security[10] by the Committee on World Food Security at its thirty-eighth session, held on 11 May 2012, and by the Council of the Food and Agriculture Organization of the United Nations at its 144th session,

Recalling also the Principles for Responsible Investment in Agriculture and Food Systems,[11] which were endorsed by the Committee on World Food Security at its forty-first session, held from 13 to 18 October 2014,

Stressing the importance of the Second International Conference on Nutrition, hosted by the World Health Organization and the Food and Agriculture Organization of the United Nations in Rome from 19 to 21 November 2014, and of its outcome documents, the Rome Declaration on Nutrition and the Framework for Action,

Stressing also the need to increase official development assistance devoted to agriculture, both in real terms and as a share of total official development assistance,

Recognizing the importance of the protection and preservation of agrobiodiversity in guaranteeing food security and the right to food for all,

Noting the cultural values of dietary and eating habits in different cultures, and recognizing that food plays an important role in defining the identity of individuals and communities and is a cultural component that describes and gives value to a territory and its inhabitants,

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[10] Food and Agriculture Organization of the United Nations, document CL 144/9 (C 2013/20), appendix D.

[11] Food and Agriculture Organization of the United Nations, document C 2015/20, appendix D.

Recognizing the role of the Food and Agriculture Organization of the United Nations as the key United Nations agency for rural and agricultural development and its work in supporting the efforts of Member States to achieve the full realization of the right to food, including through its provision of technical assistance to developing countries in support of the implementation of national priority frameworks,

Recalling the outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want", and recalling the commitment therein to work together to promote sustained and inclusive economic growth, social development and environmental protection and thereby to benefit all, endorsed by the General Assembly in its resolution 66/288 of 27 July 2012,

Recalling also the Sendai Framework for Disaster Risk Reduction 2015-2030[12] and its guiding principles, which, inter alia, recognize the importance of promoting regular disaster preparedness and response and recovery exercises, with a view to ensuring rapid and effective response to disasters and related displacement, including access to essential food and non-food relief supplies, as appropriate to local needs, as well as of fostering collaboration across global and regional mechanisms and institutions for the implementation and coherence of instruments and tools relevant to disaster risk reduction, such as for climate change, biodiversity, sustainable development, poverty eradication, environment, agriculture, health, food and nutrition and others, as appropriate,

Acknowledging the work done by the High-level Task Force on the Global Food Security Crisis established by the Secretary-General, and supporting the Secretary-General in his continuing efforts in this regard, including continued engagement with Member States and the Special Rapporteur of the Human Rights Council on the right to food,

1. *Reaffirms* that hunger constitutes an outrage and a violation of human dignity and therefore requires the adoption of urgent measures at the national, regional and international levels for its elimination;

2. *Also reaffirms* the right of everyone to have access to safe, sufficient and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger, so as to be able to fully develop and maintain his or her physical and mental capacities;

3. *Considers it intolerable* that, as estimated by the United Nations Children's Fund, more than one third of the children who die every year before the age of 5 die from hunger-related illness and that, as estimated by the Food and Agriculture Organization of the United Nations, about 795 million people in the world remain undernourished owing to the lack of sufficient food for the conduct of an active and healthy life, including as one of the effects derived from the global food crisis, while, according to the latter organization, the planet could produce enough food to feed everyone around the world;

4. *Expresses its concern* at the fact that the effects created by the world food crisis still continue to have serious consequences for the poorest and most

[12] Resolution 69/283, annex II

vulnerable people, particularly in developing countries, which have been further aggravated by the impacts of the world financial and economic crisis, and at the particular effects of the crisis on many net food-importing countries, especially least developed countries;

5. *Expresses its deep concern* that, according to the report of the Food and Agriculture Organization of the United Nations, entitled *The State of Food Insecurity in the World 2015*, the number of hungry people in the world remains unacceptably high and the vast majority of hungry people live in developing countries;

6. *Also expresses its deep concern* that, while women contribute more than 50 per cent of the food produced worldwide, they also account for 70 per cent of the world's hungry, that women and girls are disproportionately affected by hunger, food insecurity and poverty, in part as a result of gender inequality and discrimination, that in many countries girls are twice as likely as boys to die from malnutrition and preventable childhood diseases, and that it is estimated that almost twice as many women as men suffer from malnutrition;

7. *Encourages* all States to mainstream a gender perspective in food security programmes and to take action to address de jure and de facto gender inequality and discrimination against women, in particular when they contribute to the malnutrition of women and girls, including measures to ensure the full and equal realization of the right to food and that women have equal access to resources, including income, land and water and their ownership and agricultural inputs, as well as full and equal access to health care, education, science and technology, to enable them to feed themselves and their families, and in this regard stresses the need to empower women and strengthen their role in decision-making;

8. *Encourages* the Special Rapporteur of the Human Rights Council on the right to food to continue to mainstream a gender perspective in the fulfilment of her mandate, and encourages the Food and Agriculture Organization of the United Nations and all other United Nations bodies and mechanisms addressing the right to food and food insecurity to continue to integrate a gender perspective into their relevant policies, programmes and activities;

9. *Reaffirms* the need to ensure that programmes delivering safe and nutritious food are inclusive of and accessible to persons with disabilities;

10. *Stresses* that the primary responsibility of States is to promote and protect the right to food and that the international community should provide, through a coordinated response and upon request, international cooperation in support for national and regional efforts by providing the assistance necessary to increase food production and access to food, including through agricultural development assistance, the transfer of technology, food crop rehabilitation assistance and food aid, ensuring food security, with special attention to the specific needs of women and girls, and promoting innovation, support for the development of adapted technologies, research on rural advisory services and support for access to financing services, and ensure support for the establishment of secure land tenure systems;

11. *Calls upon* all States and, if appropriate, relevant international organizations to take measures and support programmes that are aimed at combating undernutrition in mothers, in particular during pregnancy, and in children, and the irreversible effects of chronic undernutrition in early childhood, in particular from birth to the age of 2 years;

12. *Also calls upon* all States and, where appropriate, relevant international organizations to implement policies and programmes to reduce and eliminate preventable mortality and morbidity, as a result of malnutrition, of children under 5 years of age, and in this regard urges States to disseminate the technical guidance prepared by the Office of the United Nations High Commissioner for Human Rights, in collaboration with the World Health Organization[15] and to apply it, as appropriate, in the design, implementation, evaluation and monitoring of laws, policies, programmes, budgets and mechanisms for remedy and redress aimed at eliminating preventable mortality and morbidity of children under 5 years of age;

13. *Encourages* all States to take steps, with a view to progressively achieving the full realization of the right to food, including steps to promote the conditions for everyone to be free from hunger and, as soon as possible, to enjoy fully the right to food, and to create and adopt national plans to combat hunger;

14. *Recognizes* the advances reached through South-South cooperation in developing countries and regions in connection with food security and the development of agricultural production for the full realization of the right to food;

15. *Stresses* that improving access to productive resources and public investment in rural development is essential for eradicating hunger and poverty, in particular in developing countries, including through the promotion of investment, including private investment, in appropriate small-scale irrigation and water management technologies in order to reduce vulnerability to droughts and to tackle water scarcity;

16. *Recognizes* the critical contribution made by the fisheries sector to the realization of the right to food and to food security and the contribution of small-scale fishers to the local food security of coastal communities;

17. *Also recognizes* that 70 per cent of hungry people live in rural areas, where nearly half a billion family farmers are located, and that these people are especially vulnerable to food insecurity given the increasing cost of inputs and the fall in farm incomes; that access to land, water, seeds and other natural resources is an increasing challenge for poor producers; that sustainable and gender-sensitive agricultural policies are important tools for promoting land and agrarian reform, rural credit and insurance, technical assistance and other associated measures to achieve food security and rural development; and that support by States for small farmers, fishing communities and local enterprises, including through the facilitation of access for their products to national and international markets and empowerment of small producers, particularly women, in value chains, is a key element for food security and the provision of the right to food;

[15] A/HRC/27/31 and A/HRC/RES/33/11.

18. *Stresses* the importance of fighting hunger in rural areas, including through national efforts supported by international partnerships to stop desertification and land degradation and through investments and public policies that are specifically appropriate to the risk of drylands, and in this regard calls for the full implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;[14]

19. *Urges* States that have not yet done so to favourably consider becoming parties to the Convention on Biological Diversity[15] and to consider becoming parties to the International Treaty on Plant Genetic Resources for Food and Agriculture[16] as a matter of priority;

20. *Recalls* the United Nations Declaration on the Rights of Indigenous Peoples,[17] acknowledges that many indigenous organizations and representatives of indigenous peoples have expressed in different forums their deep concerns over the obstacles and challenges they face in achieving the full enjoyment of the right to food, and calls upon States to take special actions to combat the root causes of the disproportionately high level of hunger and malnutrition among indigenous peoples and the continuous discrimination against them;

21. *Welcomes* the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, held on 22 and 23 September 2014,[18] and the commitment to developing, in conjunction with the indigenous peoples concerned and where appropriate, policies, programmes and resources to support indigenous peoples' occupations, traditional subsistence activities, economies, livelihoods, food security and nutrition;

22. *Notes* the need to further examine various concepts, such as "food sovereignty", and their relation with food security and the right to food, bearing in mind the need to avoid any negative impact on the enjoyment of the right to food for all people at all times;

23. *Requests* all States and private actors, as well as international organizations, within their respective mandates, to take fully into account the need to promote the effective realization of the right to food for all, including in the ongoing negotiations in different fields;

24. *Recognizes* the need to strengthen national commitment as well as international assistance, upon the request of and in cooperation with the affected countries, towards the full realization and protection of the right to food, and in particular to develop national protection mechanisms for people forced to leave their homes and land because of hunger or humanitarian emergencies affecting their enjoyment of the right to food;

[14] United Nations, *Treaty Series*, vol. 1954, No. 33480.
[15] Ibid., vol. 1760, No. 30619.
[16] Ibid., vol. 2400, No. 43345.
[17] Resolution 61/295, annex.
[18] Resolution 69/2.

25. *Takes note with appreciation* of the growing movement, in different regions of the world, towards the adoption of framework laws, national strategies and measures in support of the full realization of the right to food for all;

26. *Stresses* the need to make efforts to mobilize and optimize the allocation and utilization of technical and financial resources from all sources, including external debt relief for developing countries, and to reinforce national actions to implement sustainable food security policies;

27. *Calls for* a successful, development-oriented outcome of the outstanding issues of the Doha Round of trade negotiations of the World Trade Organization as a contribution to creating international conditions that permit the full realization of the right to food;

28. *Stresses* that all States should make all efforts to ensure that their international policies of a political and economic nature, including international trade agreements, do not have a negative impact on the right to food in other countries;

29. *Recalls* the importance of the New York Declaration on Action against Hunger and Poverty, and recommends the continuation of efforts aimed at identifying additional sources of financing for the fight against hunger and poverty, as well as non-communicable diseases;

30. *Recognizes* that the promises made at the World Food Summit in 1996 to halve the number of persons who are undernourished are not being fulfilled, while recognizing the efforts of Member States in this regard, and once again invites all international financial and development institutions, as well as the relevant United Nations agencies and funds, to give priority to and provide the funding necessary to realize the right to food, as set out in the Rome Declaration on World Food Security, and to achieve the aims of Goal 2 of the 2030 Agenda for Sustainable Development[4] and other food and nutrition-related targets;

31. *Reaffirms* that integrating food and nutritional support, with the goal that all people at all times will have access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life, is part of a comprehensive effort to improve public health, alongside the response to the spread of HIV/AIDS, tuberculosis, malaria and other communicable diseases;

32. *Urges* States to give adequate priority in their development strategies and expenditures to the realization of the right to food;

33. *Stresses* the importance of international cooperation and development assistance as an effective contribution both to the expansion and improvement of agriculture and its environmental sustainability, food production, breeding projects on diversity of crops and livestock and institutional innovations such as community seed banks, farmer field schools and seed fairs, and to the provision of humanitarian food assistance in activities related to emergency situations for the realization of the right to food and the achievement of sustainable food security, while recognizing that each country has the primary responsibility for ensuring the implementation of national programmes and strategies in this regard;

34. *Also stresses* that States parties to the World Trade Organization Agreement on Trade-Related Aspects of Intellectual Property Rights should consider implementing that agreement in a manner that is supportive of food security, while being mindful of the obligation of Member States to promote and protect the right to food;

35. *Calls upon* Member States, the United Nations system and other relevant stakeholders to support national efforts aimed at responding rapidly to the food crises currently occurring across different regions, and expresses its deep concern that funding shortfalls are forcing the World Food Programme to cut operations across different regions, including Southern Africa;

36. *Invites* all relevant international organizations, including the World Bank and the International Monetary Fund, to continue to promote policies and projects that have a positive impact on the right to food, to ensure that partners respect the right to food in the implementation of common projects, to support strategies of Member States aimed at the fulfilment of the right to food and to avoid any actions that could have a negative impact on its realization;

37. *Takes note with appreciation* of the interim report of the Special Rapporteur,[19] which addresses, inter alia, factors affecting nutrition, including industrial food systems, unhealthy eating environments and the growing threat of non-communicable diseases;

38. *Recognizes* the importance of giving due consideration to the adverse impact of climate change and to the full realization of the right to food, takes note of the Paris Agreement, adopted at the twenty-first session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, held in Paris from 30 November to 13 December 2015,[20] and welcomes the organization of the twenty-second session of the Conference of the Parties in Marrakech, Morocco;

39. *Also recognizes* the impact of climate change, and of the El Niño phenomenon on agricultural production and food security around the world and the importance of designing and implementing actions to reduce its effects, in particular on vulnerable populations, such as rural women, bearing in mind the role that they play in supporting their households and communities in achieving food and nutrition security, generating income and improving rural livelihoods and overall well-being;

40. *Reiterates its support* for the realization of the mandate of the Special Rapporteur, and requests the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide all the human and financial resources necessary for its effective fulfilment;

41. *Welcomes* the work already done by the Committee on Economic, Social and Cultural Rights in promoting the right to adequate food, in particular its general comment No. 12 (1999) on the right to adequate food (article 11 of the International Covenant on Economic, Social and Cultural Rights),[21] in which the Committee affirmed, inter alia, that the right to adequate food is indivisibly linked to the

[19] A/71/282.

[20] See FCCC/CP/2015/10/Add.1, decision 1/CP.21, annex.

[21] See *Official Records of the Economic and Social Council, 2000, Supplement No. 2* and corrigendum (E/2000/22 and Corr.1), annex V.

inherent dignity of the human person, indispensable for the fulfilment of other human rights enshrined in the International Bill of Human Rights and inseparable from social justice, requiring the adoption of appropriate economic, environmental and social policies, at both the national and the international levels, oriented to the eradication of poverty and the fulfilment of all human rights for all;

42. *Recalls* general comment No. 15 (2002) of the Committee on Economic, Social and Cultural Rights on the right to water (articles 11 and 12 of the Covenant),[22] in which the Committee noted, inter alia, the importance of ensuring sustainable access to water resources for human consumption and agriculture in realization of the right to adequate food;

43. *Reaffirms* that the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,[7] represent a useful tool to promote the realization of the right to food for all, contribute to the achievement of food security, and thus provide an additional instrument in the attainment of internationally agreed development goals and to support national Governments in the implementation of food security and nutrition policies, programmes and legal frameworks;

44. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in her task, to supply all necessary information requested by her and to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries to enable her to fulfil her mandate more effectively;

45. *Requests* the Special Rapporteur to submit to the General Assembly at its seventy-second session an interim report on the implementation of the present resolution and to continue her work, including by examining the emerging issues with regard to the realization of the right to food within her mandate;

46. *Invites* Governments, relevant United Nations agencies, funds and programmes, treaty bodies, civil society actors and non-governmental organizations, as well as the private sector, to cooperate fully with the Special Rapporteur in the fulfilment of her mandate through, inter alia, the submission of comments and suggestions on ways and means of realizing the right to food;

47. *Decides* to continue the consideration of the question at its seventy-second session, under the item entitled "Promotion and protection of human rights".

[22] Ibid., *2003, Supplement No. 2* (E/2003/22), annex IV.

Draft resolution VII
The right to development

The General Assembly,

Guided by the Charter of the United Nations, which expresses, in particular, the determination to promote social progress and better standards of life in larger freedom and, to that end, to employ international mechanisms for the promotion of the economic and social advancement of all peoples,

Recalling the Universal Declaration of Human Rights,[1] as well as the International Covenant on Economic, Social and Cultural Rights[2] and the International Covenant on Civil and Political Rights,[2]

Recalling also the outcomes of all the major United Nations conferences and summits in the economic and social fields,

Recalling further the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986, which confirmed that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals who make up nations, and that the individual is the central subject and beneficiary of development,

Stressing the importance of the World Conference on Human Rights, held in Vienna in 1993, and that the Vienna Declaration and Programme of Action[3] reaffirmed the right to development as a universal and inalienable right and an integral part of fundamental human rights and the individual as the central subject and beneficiary of development,

Reaffirming the objective of making the right to development a reality for everyone, as set out in the United Nations Millennium Declaration, adopted by the General Assembly on 8 September 2000,[4]

Recognizing the importance of the adoption of the 2030 Agenda for Sustainable Development,[5] reaffirming that the Declaration on the Right to Development informed the 2030 Agenda, along with other relevant international instruments, and underlining the fact that the Sustainable Development Goals can be realized only through a credible, effective and universal commitment to the means of implementation by all stakeholders,

Recognizing also the significance of all the events held to commemorate the thirtieth anniversary of the Declaration on the Right to Development, which contributed towards according the right to development the great attention that it deserves and presented the international community with an opportunity to demonstrate and reiterate its political commitment to the implementation and realization of the right to development,

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[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] A/CONF.157/24 (Part I), chap. III.
[4] Resolution 55/2.
[5] Resolution 70/1.

Deeply concerned that the majority of indigenous peoples in the world live in conditions of poverty, and recognizing the critical need to address the negative impact of poverty and inequity on indigenous peoples by ensuring their full and effective inclusion in development and poverty eradication programmes,

Recalling the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples and its outcome document,[6]

Reaffirming the universality, indivisibility, interrelatedness, interdependence and mutually reinforcing nature of all civil, cultural, economic, political and social rights, including the right to development,

Taking note of the commitment declared by a number of specialized agencies, funds and programmes of the United Nations system and other international organizations to make the right to development a reality for all, and in this regard urging all relevant bodies of the United Nations system and other international organizations to mainstream the right to development into their objectives, policies, programmes and operational activities, as well as into development and development-related processes, including the follow-up to the Fourth United Nations Conference on the Least Developed Countries,

Recalling the outcomes adopted at the Tenth Ministerial Conference of the World Trade Organization, held in Nairobi from 15 to 19 December 2015,

Expressing deep concern over the lack of substantial progress on the Doha Development Agenda,[7] and calling upon all members of the World Trade Organization to support the completion of the Doha Round, placing at its centre the development dimension,

Recalling the outcome of the fourteenth session of the United Nations Conference on Trade and Development, held in Nairobi from 17 to 22 July 2016, on the theme "From decision to action: moving towards an inclusive and equitable global economic environment for trade and development",[8]

Recalling also all its previous resolutions, Human Rights Council resolutions and those of the Commission on Human Rights on the right to development, in particular Commission resolution 1998/72 of 22 April 1998[9] on the urgent need to make further progress towards the realization of the right to development,

Recalling further the outcome of the seventeenth session of the Working Group on the Right to Development of the Human Rights Council, held in Geneva from 25 April to 3 May 2016, as contained in the report of the Working Group[10] and as referred to in the report of the Secretary-General and the United Nations High Commissioner for Human Rights,[11]

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[6] Resolution 69/2.

[7] See A/C.2/56/7, annex.

[8] See TD/519 and Add.1 and 2.

[9] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[10] A/HRC/33/45.

[11] A/HRC/33/31.

Recalling the Seventeenth Conference of Heads of State and Government of Non-Aligned Countries, held on Margarita Island, Bolivarian Republic of Venezuela, from 13 to 18 September 2016, and the previous summits and conferences at which the States members of the Movement of Non-Aligned Countries stressed the need to operationalize the right to development as a priority, including through the elaboration of a convention on the right to development by the relevant machinery, taking into account the recommendations of relevant initiatives,

Reiterating its continuing support for the New Partnership for Africa's Development[12] as a development framework for Africa,

Expressing its appreciation for the efforts of the Chair-Rapporteur of the Working Group on the Right to Development and the members of the high-level task force on the implementation of the right to development in completing the 2008-2010 three-phase road map established by the Human Rights Council in its resolution 4/4 of 30 March 2007,[13]

Deeply concerned about the negative impacts of the global economic and financial crises on the realization of the right to development,

Recognizing that, while development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights,

Recognizing also that Member States should cooperate with one another in ensuring development and eliminating obstacles to development, that the international community should promote effective international cooperation, in particular to revitalize a global partnership for development, for the realization of the right to development and the elimination of obstacles to development and that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level,

Recognizing further that poverty is an affront to human dignity,

Recognizing that extreme poverty and hunger are among the greatest global threats and require the collective commitment of the international community for their eradication, pursuant to Millennium Development Goal 1 and Sustainable Development Goals 1 and 2, and therefore calling upon the international community, including the Human Rights Council, to contribute towards achieving that goal,

Recognizing also that historical injustices, inter alia, have contributed to the poverty, underdevelopment, marginalization, social exclusion, economic disparity, instability and insecurity that affect many people in different parts of the world, in particular in developing countries,

Recognizing further that eradicating poverty in all its forms and dimensions, including extreme poverty, is one of the critical elements in the promotion and realization of the right to development and is the greatest global challenge and an indispensable requirement for sustainable development, which requires a

[12] A/57/304, annex.

[13] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. III, sect. A.

multifaceted and integrated approach, and committed to achieving sustainable development in its three dimensions — economic, social and environmental — in a balanced and integrated manner,

Emphasizing that all human rights and fundamental freedoms, including the right to development, are universal, indivisible, interdependent and interrelated,

Emphasizing also that the right to development should be central to the implementation of the 2030 Agenda,

Encouraging relevant bodies of the United Nations system, within their respective mandates, including the specialized agencies, funds and programmes of the United Nations system, relevant international organizations, including the World Trade Organization, and relevant stakeholders, including civil society organizations, to give due consideration to the right to development in the implementation of the 2030 Agenda and to cooperate with the United Nations High Commissioner for Human Rights in the fulfilment of his mandate with regard to the implementation of the right to development,

1. *Welcomes* the thirtieth anniversary of the Declaration on the Right to Development,[10] and stresses the importance of the mandate of the United Nations High Commissioner for Human Rights with regard to the promotion, protection and realization of the right to development, while fully recognizing its distinct nature and intrinsic value;

2. *Takes note* of the consolidated report of the Secretary-General and the High Commissioner concerning the promotion and realization of the right to development;[11]

3. *Welcomes* the holding of a one-day high-level segment of the General Assembly on 23 September 2016 on the margins of the general debate of its seventy-first session, to commemorate the thirtieth anniversary of the Declaration on the Right to Development, in which the international community demonstrated and reiterated its unequivocal commitment to the right to development, recognized the high profile that it deserves and redoubled its efforts to implement that right;

4. *Acknowledges* other events held in 2016 to commemorate the thirtieth anniversary of the Declaration on the Right to Development, including the convening, during the thirty-first session of the Human Rights Council, of the annual high-level panel discussion on human rights mainstreaming, on the theme "The 2030 Agenda for Sustainable Development and human rights, with an emphasis on the right to development", and the panel discussion on the promotion and protection of the right to development, during the thirty-second session of the Council;

5. *Also acknowledges* the need to strive for greater acceptance, operationalization and realization of the right to development at the international level while urging all States to undertake at the national level the necessary policy formulation and to institute the measures required for the implementation of the right to development as an integral part of all human rights and fundamental freedoms;

[10] Resolution 41/128, annex.

6. *Supports* the realization of the mandate of the Working Group on the Right to Development, as renewed by the Human Rights Council in its resolution 9/3 of 24 September 2008,[15] and recognizes the need for renewed efforts towards intensifying deliberations in the Working Group to fulfil its mandate at the earliest;

7. *Reaffirms* the recommendations adopted by the Working Group at its seventeenth session,[16] and calls for their immediate, full and effective implementation by the Office of the United Nations High Commissioner for Human Rights and other relevant actors, noting also the efforts under way within the framework of the Working Group with a view to completing the tasks entrusted to it by the Council in its resolution 4/4;

8. *Emphasizes* the relevant provisions of General Assembly resolution 60/251 of 15 March 2006 establishing the Human Rights Council, and in this regard calls upon the Council to implement the agreement to continue to act to ensure that its agenda promotes and advances sustainable development, including the 2030 Agenda for Sustainable Development,[5] which seeks to build on the Millennium Development Goals and complete what they did not achieve, and also in this regard to lead the raising of the right to development, as set out in paragraphs 5 and 10 of the Vienna Declaration and Programme of Action,[7] to the same level as and on a par with all other human rights and fundamental freedoms;

9. *Stresses* that the views, criteria and corresponding operational subcriteria, once considered, revised and endorsed by the Working Group, should be used, as appropriate, in the elaboration of a comprehensive and coherent set of standards for the implementation of the right to development;

10. *Emphasizes* the importance of the Working Group taking appropriate steps to ensure respect for and the practical application of the above-mentioned standards, which could take various forms, including the elaboration of guidelines on the implementation of the right to development, and evolve into a basis for the consideration of an international legal standard of a binding nature through a collaborative process of engagement;

11. *Acknowledges* the commencement of the work on the standards for the implementation of the right to development based on relevant United Nations resolutions and documents, including the Declaration on the Right to Development, relevant international conventions and decisions as well as internationally agreed development goals and United Nations resolutions, in consultation with Member States, relevant international organizations and other stakeholders;

12. *Recalls* that the report of the Chair-Rapporteur of the Working Group on standards for the implementation of the right to development[17] was prepared without prejudice to the ongoing discussions on the criteria and operational subcriteria, in the context of which the Working Group completed its second reading at its seventeenth session and decided on further action, with the objective of elaborating

[15] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53A* (A/63/53/Add.1), chap. I.

[16] See A/HRC/33/31.

[17] A/HRC/WG.2/17/2.

a comprehensive and coherent set of standards for the implementation of the right to development;

13. *Stresses* the importance of the core principles contained in the conclusions of the Working Group at its third session[15] that are congruent with the purpose of international human rights instruments, such as equality, non-discrimination, accountability, participation and international cooperation, as critical to mainstreaming the right to development at the national and international levels, and underlines the importance of the principles of equity and transparency;

14. *Also stresses* that it is important that the Chair-Rapporteur and the Working Group, in the discharge of their mandates, take into account the need:

(a) To promote the democratization of the system of international governance in order to increase the effective participation of developing countries in international decision-making;

(b) To also promote effective partnerships such as the New Partnership for Africa's Development[12] and other similar initiatives with the developing countries, particularly the least developed countries, for the purpose of the realization of their right to development, including the achievement of the Sustainable Development Goals;

(c) To strive for greater acceptance, operationalization and realization of the right to development at the international level, while urging all States to undertake at the national level the necessary policy formulation and to institute the measures required for the implementation of the right to development as an integral part of all human rights and fundamental freedoms, and also while urging all States to expand and deepen mutually beneficial cooperation in ensuring development and eliminating obstacles to development in the context of promoting effective international cooperation for the realization of the right to development, bearing in mind that lasting progress towards the implementation of the right to development requires effective development policies at the national level and a favourable economic environment at the international level;

(d) To consider ways and means to continue to ensure the operationalization of the right to development as a priority;

(e) To mainstream the right to development in the policies and operational activities of the specialized agencies, funds and programmes of the United Nations system, as well as in the policies and strategies of the international financial and multilateral trading systems, bearing in mind in this regard that the core principles of the international economic, commercial and financial spheres, such as equity, non-discrimination, transparency, accountability, participation and international cooperation, including effective partnerships for development, are indispensable in achieving the right to development and preventing discriminatory treatment arising from political or other non-economic considerations in addressing the issues of concern to the developing countries;

15. *Encourages* the Human Rights Council to continue to consider how to ensure follow-up to the work of the former Subcommission on the Promotion and

[15] See E/CN.4/2002/28/Rev.1, sect. VIII.A.

Protection of Human Rights on the right to development, in accordance with the relevant provisions of the resolutions adopted by the General Assembly and the Commission on Human Rights and in compliance with decisions to be taken by the Council;

16. *Welcomes* the decision of the Human Rights Council, in its resolution 33/14 of 29 September 2016,[19] to appoint, for a period of three years, a Special Rapporteur on the right to development, whose mandate should add value to the work of the Working Group, while avoiding any duplication, and urges Member States, the Office of the United Nations High Commissioner for Human Rights and other relevant specialized agencies, funds and programmes of the United Nations system to provide the Special Rapporteur with all the assistance and support necessary for the fulfilment of his or her mandate;

17. *Reaffirms* the commitment to implement the goals and targets set out in all the outcome documents of the major United Nations conferences and summits and their review processes, in particular those relating to the realization of the right to development, recognizing that the realization of the right to development is critical to achieving the objectives, goals and targets set in those outcome documents;

18. *Also reaffirms* that the realization of the right to development is essential to the implementation of the Vienna Declaration and Programme of Action, which regards all human rights as universal, indivisible, interdependent and interrelated, places the human person at the centre of development and recognizes that, while development facilitates the enjoyment of all human rights, a lack of development may not be invoked to justify the abridgement of internationally recognized human rights;

19. *Stresses* that the primary responsibility for the promotion and protection of all human rights lies with the State, and reaffirms that States have the primary responsibility for their own economic and social development and that the role of national policies and development strategies cannot be overemphasized;

20. *Reaffirms* the primary responsibility of States to create national and international conditions favourable to the realization of the right to development, as well as their commitment to cooperate with one another to that end;

21. *Expresses concern* about the increasing cases of human rights violations and abuses by some transnational corporations and other business enterprises, underlines the need to ensure that appropriate protection, justice and remedies are provided to the victims of human rights violations and abuses resulting from their activities, and underscores the fact that these entities must contribute to the means of implementation for the realization of the right to development;

22. *Reaffirms* the need for an international environment that is conducive to the realization of the right to development;

[19] See *Official Records of the General Assembly, Seventy-first Session, Supplement No. 53A* (A/71/53/Add.1), chap. II.

23. *Emphasizes* the critical importance of identifying and analysing obstacles impeding the full realization of the right to development at both the national and international levels;

24. *Affirms* that, while globalization offers both opportunities and challenges, the process of globalization remains deficient in achieving the objectives of integrating all countries into a globalized world, stresses the need for policies and measures at the national and global levels to respond to the challenges and opportunities of globalization if this process is to be made fully inclusive and equitable, recognizes that globalization has brought disparities between and within countries and that issues such as trade and trade liberalization, the transfer of technology, infrastructure development and market access should be managed effectively in order to mitigate the challenges of poverty and underdevelopment and to make the right to development a reality for everyone;

25. *Recognizes* that, despite continuous efforts on the part of the international community, the gap between developed and developing countries remains unacceptably wide, that most of the developing countries continue to face difficulties in participating in the globalization process and that many risk being marginalized and effectively excluded from its benefits;

26. *Expresses its deep concern*, in this regard, about the negative impact on the realization of the right to development due to the further aggravation of the economic and social situation, in particular of developing countries, as a result of the ongoing international energy, food and financial crises, as well as the increasing challenges posed by global climate change and the loss of biodiversity, which have increased vulnerabilities and inequalities and have adversely affected development gains, in particular in developing countries;

27. *Encourages* Member States to give particular consideration to the right to development in the implementation of the 2030 Agenda for Sustainable Development;

28. *Recalls* the commitment in the United Nations Millennium Declaration[4] of halving the number of people living in poverty by 2015, notes with concern that some developing countries have failed to achieve the Millennium Development Goals, and in this regard invites Member States and the international community to take proactive measures aimed at creating a conducive environment to contribute to the effective implementation of the 2030 Agenda, in particular increasing international cooperation, including partnership and commitment, between developed and developing countries towards achieving the Sustainable Development Goals;

29. *Urges* developed countries that have not yet done so to make concrete efforts towards meeting the targets of 0.7 per cent of their gross national product for official development assistance to developing countries and 0.15 to 0.2 per cent of their gross national product to the least developed countries, and encourages developing countries to build on the progress achieved in ensuring that official development assistance is used effectively to help to meet development goals and targets;

30. *Recognizes* the need to address market access for developing countries, including in the sectors of agriculture, services and non-agricultural products, in particular those of interest to developing countries.

31. *Calls once again for* the implementation of a desirable pace of meaningful trade liberalization, including in areas under negotiation in the World Trade Organization, the implementation of commitments on implementation-related issues and concerns, a review of special and differential treatment provisions, with a view to strengthening them and making them more precise, effective and operational, the avoidance of new forms of protectionism, and capacity-building and technical assistance for developing countries as important issues in making progress towards the effective implementation of the right to development;

32. *Recognizes* the important link between the international economic, commercial and financial spheres and the realization of the right to development, stresses in this regard the need for good governance and for broadening the base of decision-making at the international level on issues of development concern and the need to fill organizational gaps, as well as to strengthen the United Nations system and other multilateral institutions, and also stresses the need to broaden and strengthen the participation of developing countries and countries with economies in transition in international economic decision-making and norm-setting;

33. *Also recognizes* that good governance and the rule of law at the national level assist all States in the promotion and protection of human rights, including the right to development, and agrees on the value of the ongoing efforts being made by States to identify and strengthen good governance practices, including transparent, responsible, accountable and participatory government, that are responsive and appropriate to their needs and aspirations, including in the context of agreed partnership approaches to development, capacity-building and technical assistance;

34. *Further recognizes* the important role and the rights of women and the application of a gender perspective as a cross-cutting issue in the process of realizing the right to development, and notes in particular the positive relationship between the education of women and their equal participation in the civil, cultural, economic, political and social activities of the community and the promotion of the right to development;

35. *Stresses* the need for the integration of the rights of children, girls and boys alike, in all policies and programmes and for ensuring the promotion and protection of those rights, especially in areas relating to health, education and the full development of their capacities;

36. *Recalls* the Political Declaration on HIV and AIDS: On the Fast Track to Accelerating the Fight against HIV and to Ending the AIDS Epidemic by 2030, adopted on 8 June 2016 at the high-level meeting of the General Assembly on HIV and AIDS,[20] and underscores the importance of enhanced international cooperation to support the efforts of Member States to achieve health goals, including the target of ending the AIDS epidemic by 2030, implement universal access to health-care services and address health challenges;

37. *Also recalls* the political declaration of the high-level meeting of the General Assembly on the prevention and control of non-communicable diseases,

[20] Resolution 70/266, annex.

adopted on 19 September 2011,[21] with its particular focus on development and other challenges and social and economic impacts, particularly for developing countries;

38. *Further recalls* the outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want";[22]

39. *Recalls* the Convention on the Rights of Persons with Disabilities,[23] which entered into force on 3 May 2008, and General Assembly resolution 70/1 of 3 December 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", and, while recognizing persons with disabilities as agents and beneficiaries of development, stresses the need to take into consideration the rights of persons with disabilities and the importance of international cooperation in support of national efforts in the realization of the right to development;

40. *Stresses its commitment* to indigenous peoples in the process of the realization of the right to development, reaffirms the commitment to promote their rights in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security, in accordance with recognized international human rights obligations and taking into account, as appropriate, the United Nations Declaration on the Rights of Indigenous Peoples, adopted by the General Assembly in its resolution 61/295 of 13 September 2007, and in this regard recalls the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, held in 2014;

41. *Recognizes* the need for strong partnerships with civil society organizations and the private sector in pursuit of poverty eradication and development, as well as for corporate social responsibility;

42. *Emphasizes* the urgent need to take concrete and effective measures to prevent, combat and criminalize all forms of corruption at all levels, to prevent, detect and deter in a more effective manner international transfers of illicitly acquired assets and to strengthen international cooperation in asset recovery, consistent with the principles of the United Nations Convention against Corruption,[24] particularly chapter V thereof, stresses the importance of a genuine political commitment on the part of all Governments through a firm legal framework, and in this context urges States to sign and ratify the Convention as soon as possible and States parties to implement it effectively;

43. *Also emphasizes* the need to strengthen further the activities of the Office of the United Nations High Commissioner for Human Rights in the promotion and realization of the right to development, including by ensuring the effective use of the financial and human resources necessary to fulfil its mandate, and calls upon the Secretary-General to provide the Office with the necessary resources;

44. *Reaffirms* the request to the High Commissioner, in mainstreaming the right to development, to effectively undertake activities aimed at strengthening the global partnership for development among Member States, development agencies

[21] Resolution 66/2, annex.
[22] Resolution 66/288, annex.
[23] United Nations, *Treaty Series*, vol. 2515, No. 44910.
[24] Ibid., vol. 2349, No. 42146.

and the international development, financial and trade institutions and to reflect those activities in detail in his next report to the Human Rights Council;

45. *Calls upon* the specialized agencies, funds and programmes of the United Nations system to mainstream the right to development in their operational programmes and objectives, and stresses the need for the international financial and multilateral trading systems to mainstream the right to development in their policies and objectives;

46. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs and bodies, the specialized agencies, funds and programmes of the United Nations system, international development and financial institutions, in particular the Bretton Woods institutions, and non-governmental organizations;

47. *Encourages* relevant bodies of the United Nations system, within their respective mandates, including the specialized agencies, funds and programmes of the United Nations system, relevant international organizations, including the World Trade Organization and relevant stakeholders, including civil society organizations, to give due consideration to the right to development in the implementation of the 2030 Agenda, to contribute further to the work of the Working Group on the Right to Development and to cooperate with the High Commissioner in the fulfilment of his mandate with regard to the implementation of the right to development;

48. *Requests* the Secretary-General to submit a report to the General Assembly at its seventy-second session and an interim report to the Human Rights Council on the implementation of the present resolution, including efforts undertaken at the national, regional and international levels in the promotion and realization of the right to development, and invites the Chair-Rapporteur of the Working Group to present an oral report and to engage in an interactive dialogue with the Assembly at its seventy-second session.

Draft resolution VIII
Human rights and unilateral coercive measures

The General Assembly,

Recalling all its previous resolutions on this subject, the most recent of which was resolution 70/151 of 17 December 2015, and Human Rights Council decision 18/120 of 30 September 2011[1] and resolutions 24/14 of 27 September 2013,[2] 27/21 of 26 September 2014[3] and 30/2 of 1 October 2015,[4] as well as previous resolutions of the Council and the Commission on Human Rights,

Reaffirming the pertinent principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the General Assembly in its resolution 3281 (XXIX) of 12 December 1974, in particular article 32 thereof, in which it declared that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

Taking note of the reports of the Special Rapporteur of the Human Rights Council on the negative impact of unilateral coercive measures on the enjoyment of human rights, submitted pursuant to General Assembly resolution 70/151[5] and to Human Rights Council resolutions 27/21 and 30/2,[6] and recalling the reports of the Secretary-General on the implementation of Assembly resolutions 52/120 of 12 December 1997[7] and 55/110 of 4 December 2000,[8]

Stressing that unilateral coercive measures and legislation are contrary to international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States,

Recognizing the universal, indivisible, interdependent and interrelated character of all human rights, and in this regard reaffirming the right to development as an integral part of all human rights,

Recalling the Final Document of the Sixteenth Ministerial Conference and Commemorative Meeting of the Movement of Non-Aligned Countries, held in Bali, Indonesia, from 23 to 27 May 2011,[9] the Final Document of the Seventeenth Conference of Heads of State or Government of Non-Aligned Countries, held on Margarita Island, Bolivarian Republic of Venezuela, from 13 to 18 September 2016, and the documents adopted at previous summits and conferences, in which States members of the Movement agreed to oppose and condemn those measures or laws and their continued application, persevere with efforts to effectively reverse them,

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[1] See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53A* and corrigendum (A/66/53/Add.1 and Corr.1), chap. III.

[2] Ibid., *Sixty-eighth Session, Supplement No. 53A* (A/68/53/Add.1), chap. III.

[3] Ibid., *Sixty-ninth Session, Supplement No. 53A* and corrigendum (A/69/53/Add.1 and Corr.1 and 2), chap. IV, sect. A.

[4] Ibid., *Seventieth Session, Supplement No. 53A* (A/70/53/Add.1), chap. III.

[5] A/71/287.

[6] A/HRC/33/48.

[7] A/53/293 and Add.1.

[8] A/56/207 and Add.1.

[9] A/65/896-S/2011/407, annex I.

urge other States to do likewise, as called for by the General Assembly and other organs of the United Nations, and request States applying those measures or laws to revoke them fully and immediately,

Recalling also that, at the World Conference on Human Rights, held in Vienna from 14 to 25 June 1993, States were called upon to refrain from any unilateral measure not in accordance with international law and the Charter that creates obstacles to trade relations among States and impedes the full realization of all human rights[10] and also severely threatens the freedom of trade,

Bearing in mind all the references to this question in the Copenhagen Declaration on Social Development, adopted by the World Summit for Social Development on 12 March 1995,[11] the Beijing Declaration and Platform for Action, adopted by the Fourth World Conference on Women on 15 September 1995,[12] the Quito Declaration on Sustainable Cities and Human Settlements for All and the Quito Implementation Plan for the New Urban Agenda, adopted by the United Nations Conference on Housing and Sustainable Urban Development (Habitat III) on 17 October 2016, and in the outcome document of the United Nations summit for the adoption of the 2030 Agenda for Sustainable Development,[13]

Recalling General Assembly resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", in which States are strongly urged to refrain from promulgating and applying any unilateral economic, financial or trade measures not in accordance with international law and the Charter of the United Nations that impede the full achievement of economic and social development, particularly in developing countries,

Expressing concern about the negative impact of unilateral coercive measures on international relations, trade, investment and cooperation,

Expressing grave concern that, in some countries, the situation of children is adversely affected by unilateral coercive measures not in accordance with international law and the Charter that create obstacles to trade relations among States, impede the full realization of social and economic development and hinder the well-being of the population in the affected countries, with particular consequences for women, children, including adolescents, the elderly and persons with disabilities,

Deeply concerned that, despite the recommendations adopted on this question by the General Assembly, the Human Rights Council, the Commission on Human Rights and recent major United Nations conferences, and contrary to general international law and the Charter, unilateral coercive measures continue to be promulgated and implemented, with all their negative implications for the social humanitarian activities and economic and social development of developing countries, including their extraterritorial effects, thereby creating additional

[10] See A/CONF.157/24 (Part I), chap. III.

[11] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

[12] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[13] Resolution 70/1.

obstacles to the full enjoyment of all human rights by peoples and individuals under the jurisdiction of other States,

Bearing in mind all the extraterritorial effects of any unilateral legislative, administrative and economic measures, policies and practices of a coercive nature against the development process and the enhancement of human rights in developing countries, which create obstacles to the full realization of all human rights,

Reaffirming that unilateral coercive measures are a major obstacle to the implementation of the Declaration on the Right to Development,[13]

Recalling article 1, paragraph 2, common to the International Covenant on Civil and Political Rights[15] and the International Covenant on Economic, Social and Cultural Rights,[14] which provides, inter alia, that in no case may a people be deprived of its own means of subsistence,

Noting the continuing efforts of the open-ended Working Group on the Right to Development of the Human Rights Council, and reaffirming in particular its criteria, according to which unilateral coercive measures are one of the obstacles to the implementation of the Declaration on the Right to Development,

1. *Urges* all States to cease adopting or implementing any unilateral measures not in accordance with international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States, in particular those of a coercive nature, with all their extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights[16] and other international human rights instruments, in particular the right of individuals and peoples to development;

2. *Strongly urges* States to refrain from promulgating and applying any unilateral economic, financial or trade measures not in accordance with international law and the Charter that impede the full achievement of sustainable economic and social development, particularly in developing countries;

3. *Condemns* the inclusion of Member States in unilateral lists under false pretexts, which are contrary to international law and the Charter, including false allegations of terrorism sponsorship, considering such lists as instruments for political or economic pressure against Member States, particularly developing countries;

4. *Urges* all States not to adopt any unilateral measures not in accordance with international law and the Charter that impede the full achievement of economic and social development by the population of the affected countries, in particular children and women, that hinder their well-being and that create obstacles to the full enjoyment of their human rights, including the right of everyone to a standard of living adequate for his or her health and well-being and his or her right to food,

[13] Resolution 41/128, annex.
[15] See resolution 2200 A (XXI), annex.
[16] Resolution 217 A (III).

medical care and education and the necessary social services, as well as to ensure that food and medicine are not used as tools for political pressure;

5. *Strongly objects* to the extraterritorial nature of those measures which, in addition, threaten the sovereignty of States, and in this context calls upon all Member States neither to recognize those measures nor to apply them, as well as to take administrative or legislative measures, as appropriate, to counteract the extraterritorial applications or effects of unilateral coercive measures;

6. *Condemns* the continuing unilateral application and enforcement by certain Powers of unilateral coercive measures, and rejects those measures, with all their extraterritorial effects, as being tools for political or economic pressure against any country, in particular against developing countries, adopted with a view to preventing those countries from exercising their right to decide, of their own free will, their own political, economic and social systems, and because of the negative effects of those measures on the realization of all the human rights of vast sectors of their populations, in particular children, women, the elderly and persons with disabilities;

7. *Expresses grave concern* that, in some countries, the situation of children is adversely affected by unilateral coercive measures not in accordance with international law and the Charter that create obstacles to trade relations among States, impede the full realization of social and economic development and hinder the well-being of the population in the affected countries, with particular consequences for women, children, including adolescents, the elderly and persons with disabilities;

8. *Reaffirms* that essential goods such as food and medicines should not be used as tools for political coercion and that under no circumstances should people be deprived of their own means of subsistence and development;

9. *Calls upon* Member States that have initiated such measures to abide by the principles of international law, the Charter, the declarations of the United Nations and world conferences and relevant resolutions and to commit themselves to their obligations and responsibilities arising from the international human rights instruments to which they are parties by revoking such measures at the earliest possible time;

10. *Reaffirms*, in this context, the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development;

11. *Recalls* that, according to the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, contained in the annex to General Assembly resolution 2625 (XXV) of 24 October 1970, and the relevant principles and provisions contained in the Charter of Economic Rights and Duties of States, proclaimed by the Assembly in its resolution 3281 (XXIX), in particular article 32 thereof, no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind;

12. *Rejects* all attempts to introduce unilateral coercive measures, and urges the Human Rights Council to take fully into account the negative impact of those measures, including through the enactment and extraterritorial application of national laws that are not in conformity with international law, in its task concerning the implementation of the right to development;

13. *Requests* the United Nations High Commissioner for Human Rights, in discharging his functions relating to the promotion, realization and protection of the right to development and bearing in mind the continuing impact of unilateral coercive measures on the population of developing countries, to give priority to the present resolution in his annual report to the General Assembly;

14. *Underlines* the fact that unilateral coercive measures are one of the major obstacles to the implementation of the Declaration on the Right to Development,[13] and in this regard calls upon all States to avoid the unilateral imposition of economic coercive measures and the extraterritorial application of national laws that run counter to the principles of free trade and hamper the development of developing countries, as recognized by the open-ended Working Group on the Right to Development of the Human Rights Council;

15. *Recognizes* that, in the Declaration of Principles adopted at the first phase of the World Summit on the Information Society, held in Geneva from 10 to 12 December 2003,[17] States were strongly urged to avoid and refrain from any unilateral measure not in accordance with international law and the Charter of the United Nations in building the information society;

16. *Reaffirms* paragraph 30 of the outcome document of the United Nations summit for the adoption of the post-2015 development agenda, entitled "Transforming our world: the 2030 Agenda for Sustainable Development",[12] in which States are strongly urged to refrain from promulgating and applying any unilateral economic, financial or trade measures not in accordance with international law and the Charter of the United Nations that impede the full achievement of economic and social development, particularly in developing countries;

17. *Recalls* the decision of the Human Rights Council, in its resolution 27/21,[3] to appoint a Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, and welcomes the work done in delivering his mandate;

18. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the human and financial resources necessary for the effective fulfilment of the mandate of the Special Rapporteur, and also requests them, in discharging their functions in relation to the promotion and protection of human rights, to pay due attention and to give urgent consideration to the present resolution;

19. *Recalls* that the Human Rights Council took note of the research-based progress report of its Advisory Committee containing recommendations on

[17] A/C.2/59/3, annex, chap. I, sect. A.

mechanisms to assess the negative impact of unilateral coercive measures on the enjoyment of human rights and to promote accountability;[18]

20. *Takes note* of the contribution of the first biennial panel discussion on the issue of unilateral coercive measures and human rights organized by the Human Rights Council in 2015 to increase awareness of the negative impact that unilateral coercive measures have on the enjoyment of human rights in the targeted and non-targeted countries, and invites the Council to follow up on the discussion at the upcoming second biennial panel in 2017;

21. *Invites* the Human Rights Council and the Office of the United Nations High Commissioner for Human Rights to continue paying attention and explore ways to address the negative impact of the application of unilateral coercive measures;

22. *Reiterates its support* for the invitation of the Human Rights Council to all special rapporteurs and existing thematic mechanisms of the Council in the field of economic, social and cultural rights to pay due attention, within the scope of their respective mandates, to the negative impact and consequences of unilateral coercive measures;

23. *Takes note with interest* of the proposals contained in the report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights,[5] and requests the Special Rapporteur to include in his report to the General Assembly at its seventy-second session more information on the process regarding the discussions of his proposals at the Human Right Council;

24. *Reaffirms* the request of the Human Rights Council that the Office of the United Nations High Commissioner for Human Rights organize a workshop on the impact of the application of unilateral coercive measures on the enjoyment of human rights by the affected populations, in particular their socioeconomic impact on women and children, in the States targeted;

25. *Requests* the Special Rapporteur to submit to the General Assembly at its seventy-second session a report on the implementation of the present resolution and on the negative impact of unilateral coercive measures on the full enjoyment of human rights;

26. *Invites* Governments to cooperate fully with the Special Rapporteur in the fulfilment of his mandate through, inter alia, the submission of comments and suggestions on the implications and negative effects of unilateral coercive measures on the full enjoyment of human rights;

27. *Decides* to examine the question on a priority basis at its seventy-second session, under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms" of the item entitled "Promotion and protection of human rights".

[18] A/HRC/28/74.

Draft resolution IX
Enhancement of international cooperation in the field of human rights

The General Assembly,

Reaffirming its commitment to promoting international cooperation, as set forth in the Charter of the United Nations, in particular Article 1, paragraph 3, as well as relevant provisions of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[1] for enhancing genuine cooperation among Member States in the field of human rights,

Recalling its resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", in which the General Assembly adopted a comprehensive, far-reaching and people-centred set of universal and transformative Sustainable Development Goals,

Recalling also its adoption of the United Nations Millennium Declaration on 8 September 2000,[2] its resolution 70/153 of 17 December 2015, Human Rights Council resolution 32/6 of 30 June 2016[3] and the resolutions of the Commission on Human Rights on the enhancement of international cooperation in the field of human rights,

Recalling further the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001, the Durban Review Conference, held in Geneva from 20 to 24 April 2009, and the political declaration of the high-level meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action,[4] and their role in the enhancement of international cooperation in the field of human rights,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Recognizing also that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Underlining that cooperation is not just a matter of relations of good-neighbourliness, coexistence or reciprocity, but rather of a willingness to look beyond mutual interests in order to advance the general interest,

Stressing the importance of international cooperation for improving the living conditions of all in every country, including, in particular, in developing countries,

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[1] A/CONF.157/24 (Part I), chap. III.

[2] Resolution 55/2.

[3] See *Official Records of the General Assembly, Seventy-first Session, Supplement No. 53* (A/71/53), chap. V, sect. A.

[4] Resolution 66/3.

Reaffirming that dialogue among religions, cultures and civilizations in the field of human rights could contribute greatly to the enhancement of international cooperation in this field,

Emphasizing the need for further progress in the promotion and encouragement of respect for human rights and fundamental freedoms through, inter alia, international cooperation,

Underlining the fact that mutual understanding, dialogue, cooperation, transparency and confidence-building are important elements in all activities for the promotion and protection of human rights,

Recalling the adoption of resolution 2000/22 of 18 August 2000, on the promotion of dialogue on human rights issues, by the Subcommission on the Promotion and Protection of Human Rights at its fifty-second session,[5]

1. *Reaffirms* that it is one of the purposes of the United Nations and the responsibility of all Member States to promote, protect and encourage respect for human rights and fundamental freedoms through, inter alia, international cooperation;

2. *Recognizes* that, in addition to their separate responsibilities to their individual societies, States have a collective responsibility to uphold the principles of human dignity, equality and equity at the global level;

3. *Reaffirms* that dialogue among cultures and civilizations facilitates the promotion of a culture of tolerance and respect for diversity, and welcomes in this regard the holding of conferences and meetings at the national, regional and international levels on dialogue among civilizations;

4. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

5. *Reaffirms* the importance of the enhancement of international cooperation for the promotion and protection of human rights and for the achievement of the objectives of the fight against racism, racial discrimination, xenophobia and related intolerance;

6. *Considers* that international cooperation in the field of human rights, in conformity with the purposes and principles set out in the Charter of the United Nations and international law, should make an effective and practical contribution to the urgent task of preventing violations of human rights and fundamental freedoms;

7. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms should be guided by the principles of universality, non-selectivity, cooperation and genuine dialogue, objectivity and transparency, in a manner consistent with the purposes and principles set out in the Charter;

[5] See E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. II, sect. A.

8. *Emphasizes* the importance of the universal periodic review as a mechanism based on cooperation and constructive dialogue with the objective of, inter alia, improving the situation of human rights on the ground and promoting the fulfilment of the human rights obligations and commitments undertaken by States;

9. *Also emphasizes* the need for a cooperative approach on the part of all stakeholders to resolving human rights issues in international forums;

10. *Further emphasizes* the role of international cooperation in support of national efforts and in increasing the capacities of Member States in the field of human rights through, inter alia, the enhancement of their cooperation with human rights mechanisms, including through the provision of technical assistance, upon the request of and in accordance with the priorities set by the States concerned;

11. *Calls upon* Member States, the specialized agencies and intergovernmental organizations to continue to carry out a constructive dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms, and encourages non-governmental organizations to contribute actively to this endeavour;

12. *Urges* States to take measures necessary to enhance bilateral, regional and international cooperation aimed at addressing the adverse impact of consecutive and compounded global crises, such as financial and economic crises, food crises, climate change and natural disasters, on the full enjoyment of human rights;

13. *Invites* States and relevant United Nations human rights mechanisms and procedures to continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights;

14. *Requests* the Secretary-General, in collaboration with the United Nations High Commissioner for Human Rights, to consult States and intergovernmental and non-governmental organizations on ways and means, as well as on obstacles and challenges and possible proposals to overcome them, for the enhancement of international cooperation and genuine dialogue in the United Nations human rights machinery, including the Human Rights Council;

15. *Decides* to continue its consideration of the question at its seventy-second session.

Draft resolution X
Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief

The General Assembly,

Reaffirming the commitment made by all States under the Charter of the United Nations to promote and encourage universal respect for and observance of all human rights and fundamental freedoms without distinction as to, inter alia, religion or belief,

Welcoming Human Rights Council resolutions 16/18 of 24 March 2011,[1] 19/25 of 23 March 2012,[2] 22/31 of 22 March 2013,[3] 28/29 of 27 March 2015[4] and 31/26 of 24 March 2016[5] and General Assembly resolutions 67/178 of 20 December 2012, 68/169 of 18 December 2013, 69/174 of 18 December 2014 and 70/157 of 17 December 2015,

Reaffirming the obligation of States to prohibit discrimination and violence on the basis of religion or belief and to implement measures to guarantee the equal and effective protection of the law,

Reaffirming also that all human rights are universal, indivisible, interdependent and interrelated,

Reaffirming further that the International Covenant on Civil and Political Rights[6] provides, inter alia, that everyone shall have the right to freedom of thought, conscience and religion or belief, which shall include freedom to have or to adopt a religion or belief of one's choice and freedom, either alone or in community with others and in public or private, and to manifest one's religion or belief in worship, observance, practice and teaching,

Reaffirming the positive role that the exercise of the right to freedom of opinion and expression and full respect for the freedom to seek, receive and impart information can play in strengthening democracy and combating religious intolerance, and reaffirming further that the exercise of the right to freedom of expression carries with it special duties and responsibilities, in accordance with article 19 of the International Covenant on Civil and Political Rights,

Expressing deep concern at those acts that advocate religious hatred and thereby undermine the spirit of tolerance and respect for diversity,

Reaffirming that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group,

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[1] See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53* (A/66/53), chap. II, sect. A.

[2] Ibid., *Sixty-seventh Session, Supplement No. 53* and corrigendum (A/67/53 and Corr.1), chap. III, sect. A.

[3] Ibid., *Sixty-eighth Session, Supplement No. 53* (A/68/53), chap. IV, sect. A.

[4] Ibid., *Seventieth Session, Supplement No. 53* (A/70/53), chap. III, sect. A.

[5] Ibid., *Seventy-first Session, Supplement No. 53* (A/71/53), chap. IV, sect. A.

[6] See resolution 2200 A (XXI), annex.

Condemning the criminal acts committed by terrorist and extremist groups and movements against persons based on their religion or belief, and deeply regretting attempts to link such acts to any one specific religion or belief,

Reaffirming that violence can never be an acceptable response to acts of intolerance on the basis of religion or belief,

Recalling its adoption of resolutions 69/140 of 15 December 2014 and 70/19 of 3 December 2015 on the promotion of interreligious and intercultural dialogue, understanding and cooperation for peace, 69/312 of 6 July 2015 on the United Nations Alliance of Civilizations and 67/104 of 17 December 2012, in which the General Assembly proclaimed the period 2013-2022 as the International Decade for the Rapprochement of Cultures,

Deeply concerned about continuing incidents of intolerance, discrimination and violence against persons based on their religion or belief in all regions of the world,

Deploring any advocacy of discrimination or violence on the basis of religion or belief,

Strongly deploring all acts of violence against persons on the basis of their religion or belief, as well as any such acts directed against their homes, businesses, properties, schools, cultural centres or places of worship,

Strongly deploring also all attacks on and in religious places, sites and shrines, which are in violation of international law, in particular human rights law and international humanitarian law, including any deliberate destruction of relics and monuments,

Deeply concerned about the prevalence of impunity in some instances, and the lack of accountability in some cases, in addressing violence against persons on the basis of religion or belief in public and private spheres, and stressing the importance of making the necessary efforts to raise awareness to address the spread of hate speech against persons on the basis of religion or belief,

Concerned about actions that wilfully exploit tensions or target individuals on the basis of their religion or belief, in particular, actions that seek to prevent their exercise and full enjoyment of freedom of religion or belief,

Expressing deep concern at the instances of intolerance and discrimination and acts of violence occurring in the world, including cases motivated by discrimination against persons belonging to religious minorities, in addition to the negative projection of the followers of religions and the enforcement of measures that specifically discriminate against persons on the basis of religion or belief,

Expressing concern at the growing manifestations of intolerance based on religion or belief, which can generate hatred and violence among individuals from and within different nations and which may have serious implications at the national, regional and international levels, and in this regard emphasizing the importance of respect for religious and cultural diversity, as well as interreligious, interfaith and intercultural dialogue aimed at promoting a culture of tolerance and respect among individuals, societies and nations,

Recognizing the valuable contribution of people of all religions or beliefs to humanity and the contribution that dialogue among religious groups can make towards an improved awareness and understanding of the common values shared by all humankind,

Underlining the fact that States, regional organizations, national human rights institutions, non-governmental organizations, religious bodies and the media have an important role to play in promoting tolerance and respect for religious and cultural diversity and in the universal promotion and protection of human rights, including freedom of religion or belief,

Underlining also the importance of raising awareness about different cultures and religions or beliefs and of education in the promotion of tolerance, which involves the acceptance by the public of and its respect for religious and cultural diversity, including with regard to religious expression, and underlining further the fact that education, in particular at school, should contribute in a meaningful way to promoting tolerance and the elimination of discrimination based on religion or belief,

Recognizing that working together to enhance the implementation of existing legal regimes that protect individuals against discrimination and hate crimes, increasing interreligious, interfaith and intercultural efforts and expanding human rights education are important first steps in combating incidents of intolerance, discrimination and violence against individuals on the basis of religion or belief,

Recalling its resolution 70/109, entitled "A world against violence and violent extremism", adopted by consensus on 10 December 2015, welcoming the leading role of the United Nations Educational, Scientific and Cultural Organization in promoting intercultural dialogue, the work of the United Nations Alliance of Civilizations, the work of the Anna Lindh Euro-Mediterranean Foundation for the Dialogue between Cultures in Alexandria, Egypt, and the work of the King Abdullah Bin Abdulaziz International Centre for Interreligious and Intercultural Dialogue in Vienna, and recalling also its resolution 65/5 of 20 October 2010 on World Interfaith Harmony Week, proposed by King Abdullah II of Jordan,

Welcoming, in this regard, all international, regional and national initiatives aimed at promoting interreligious, intercultural and interfaith harmony and combating discrimination against individuals on the basis of religion or belief, noting the initiative of the Special Adviser to the Secretary-General on the Prevention of Genocide on the role of religious leaders in preventing incitement that could lead to atrocity crimes and the declaration of its forum held in Fez, Morocco, on 23 and 24 April 2015, the Istanbul Process for Combating Intolerance, Discrimination and Incitement to Hatred and/or Violence on the Basis of Religion or Belief, the announcement on 6 October 2016 of the establishment by the United Arab Emirates of the International Institute for Tolerance for promoting the value of tolerance among nations, the Amman Declaration on Youth, Peace and Security adopted on 22 August 2015, as well as the fifth Congress of Leaders of World and Traditional Religions, held in Astana on 10 and 11 June 2015, and taking note of the initiative of the Office of the United Nations High Commissioner for Human Rights and its outcome document, the Rabat Plan of Action on the prohibition of advocacy

of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, adopted in Rabat on 5 October 2012,[7]

Taking note with appreciation of the continuation of the organization of workshops and meetings within the framework of the Istanbul Process and the promotion of effective implementation of Human Rights Council resolution 16/18 to counter global violence, religious discrimination and intolerance, in particular the recent sixth implementation meeting of the Process, hosted by Singapore, on 20 and 21 July 2016,

1. *Takes note* of the report of the Secretary-General;[8]

2. *Expresses deep concern* at the continued serious instances of derogatory stereotyping, negative profiling and stigmatization of persons based on their religion or belief, as well as programmes and agendas pursued by extremist individuals, organizations and groups aimed at creating and perpetuating negative stereotypes about religious groups, in particular when condoned by Governments;

3. *Expresses concern* that the number of incidents of religious intolerance, discrimination and related violence, as well as of negative stereotyping of individuals on the basis of religion or belief, continues to rise around the world, which may have serious implications at the national, regional and international levels, condemns, in this context, any advocacy of religious hatred against individuals that constitutes incitement to discrimination, hostility or violence, and urges States to take effective measures, as set forth in the present resolution and consistent with their obligations under international human rights law, to address and combat such incidents;

4. *Condemns* any advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence, whether it involves the use of print, audiovisual or electronic media or any other means;

5. *Recognizes* that the open public debate of ideas, as well as interreligious, interfaith and intercultural dialogue, at the local, national and international levels, can be among the best protections against religious intolerance and can play a positive role in strengthening democracy and combating religious hatred, and expresses its conviction that a continuing dialogue on these issues can help to overcome existing misperceptions;

6. *Also recognizes* the strong need for global awareness about the possible serious implications of incitement to discrimination and violence, which may have serious implications at the national, regional and international levels, and urges all Member States to make renewed efforts to develop educational systems that promote all human rights and fundamental freedoms that enhance tolerance for religious and cultural diversity, which is fundamental to promoting tolerant, peaceful and harmonious multicultural societies;

7. *Calls upon* all States to take the following actions, as called for by the Secretary-General of the Organization of Islamic Cooperation, to foster a domestic environment of religious tolerance, peace and respect by:

[7] A/HRC/22/17/Add.4, appendix.
[8] A/71/369.

(a) Encouraging the creation of collaborative networks to build mutual understanding, promoting dialogue and inspiring constructive action towards shared policy goals and the pursuit of tangible outcomes, such as servicing projects in the fields of education, health, conflict prevention, employment, integration and media education;

(b) Creating an appropriate mechanism within Governments to, inter alia, identify and address potential areas of tension between members of different religious communities and assisting with conflict prevention and mediation;

(c) Encouraging the training of government officials in effective outreach strategies;

(d) Encouraging the efforts of leaders to discuss within their communities the causes of discrimination and developing strategies to counter those causes;

(e) Speaking out against intolerance, including advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence;

(f) Adopting measures to criminalize incitement to imminent violence based on religion or belief;

(g) Understanding the need to combat denigration and the negative religious stereotyping of persons, as well as incitement to religious hatred, by strategizing and harmonizing actions at the local, national, regional and international levels through, inter alia, education and awareness-raising;

(h) Recognizing that the open, constructive and respectful debate of ideas, as well as interreligious, interfaith and intercultural dialogue, at the local, national, regional and international levels, can play a positive role in combating religious hatred, incitement and violence;

8. *Also calls upon* all States to:

(a) Take effective measures to ensure that public functionaries, in the conduct of their public duties, do not discriminate against an individual on the basis of religion or belief;

(b) Foster religious freedom and pluralism by promoting the ability of members of all religious communities to manifest their religion and to contribute openly and on an equal footing to society;

(c) Encourage the representation and meaningful participation of individuals, irrespective of their religion or belief, in all sectors of society;

(d) Make a strong effort to counter religious profiling, which is understood to be the invidious use of religion as a criterion in conducting questioning, searches and other investigative law enforcement procedures;

9. *Further calls upon* all States to adopt measures and policies to promote full respect for and protection of places of worship and religious sites, cemeteries and shrines and to take protective measures in cases where they are vulnerable to vandalism or destruction;

10. *Calls for* strengthened international efforts to foster a global dialogue for the promotion of a culture of tolerance and peace at all levels, based on respect for human rights and diversity of religions and beliefs;

11. *Encourages* all States to consider providing updates on efforts made in this regard as part of ongoing reporting to the Office of the United Nations High Commissioner for Human Rights, and in this respect requests the United Nations High Commissioner for Human Rights to include those updates in his reports to the Human Rights Council;

12. *Requests* the Secretary-General to submit to the General Assembly, at its seventy-second session, a report that includes information provided by the High Commissioner on steps taken by States to combat intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief, as set forth in the present resolution.

Draft resolution XI
Freedom of religion or belief

The General Assembly,

Recalling article 18 of the International Covenant on Civil and Political Rights,[1] article 18 of the Universal Declaration of Human Rights[2] and other relevant human rights provisions,

Recalling also its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Recalling further its previous resolutions on freedom of religion or belief and on the elimination of all forms of intolerance and of discrimination based on religion or belief, including resolution 70/158 of 17 December 2015 and Human Rights Council resolution 31/16 of 23 March 2016,[3]

Recognizing the important work carried out by the Human Rights Committee in providing guidance with respect to the scope of freedom of religion or belief,

Noting the conclusions and recommendations of the expert workshops organized by the Office of the United Nations High Commissioner for Human Rights and contained in the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, adopted in Rabat on 5 October 2012,[4]

Considering that religion or belief, for those who profess either, is one of the fundamental elements in their conception of life and that freedom of religion or belief, as a universal human right, should be fully respected and guaranteed,

Seriously concerned at continuing acts of intolerance and violence based on religion or belief against individuals, including against persons belonging to religious communities and religious minorities around the world, and at the increasing number and intensity of such incidents, which are often of a criminal nature and may have international characteristics,

Deeply concerned at the limited progress that has been made in the elimination of all forms of intolerance and of discrimination based on religion or belief, and believing that further intensified efforts are therefore required to promote and protect the right to freedom of thought, conscience and religion or belief and to eliminate all forms of hatred, intolerance and discrimination based on religion or belief, as noted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001, as well as at the Durban Review Conference, held in Geneva from 20 to 24 April 2009,

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[1] See resolution 2200 A (XXI), annex.
[2] Resolution 217 A (III).
[3] See *Official Records of the General Assembly, Seventy-first Session, Supplement No. 53* (A/71/53), chap. IV, sect. A.
[4] A/HRC/22/17/Add.4, appendix.

Recalling that States have the primary responsibility to promote and protect human rights, including the human rights of persons belonging to religious minorities, including their right to exercise their religion or belief freely,

Concerned that official authorities sometimes tolerate or encourage acts of violence, or credible threats of violence, against persons belonging to religious communities and religious minorities,

Concerned also at the increasing number of laws and regulations that limit the freedom of thought, conscience and religion or belief and at the implementation of existing laws in a discriminatory manner,

Convinced of the need to urgently address the rapid rise in various parts of the world of religious extremism that affects the human rights of individuals, in particular persons belonging to religious communities and religious minorities, the situations of violence and discrimination that affect many individuals, particularly women and children, on the basis of or in the name of religion or belief or in accordance with cultural and traditional practices, and the misuse of religion or belief for ends inconsistent with the principles set out in the Charter of the United Nations and in other relevant instruments of the United Nations,

Seriously concerned about all attacks on religious places, sites and shrines that violate international law, in particular international human rights law and international humanitarian law, including any deliberate destruction of relics and monuments, and including also those carried out in connection with incitement to national, racial or religious hatred,

Emphasizing that States, regional organizations, national human rights institutions, non-governmental organizations, religious bodies, the media and civil society as a whole have an important role to play in promoting tolerance and respect for religious and cultural diversity and in the universal promotion and protection of human rights, including freedom of religion or belief,

Underlining the importance of education, including human rights education, in the promotion of tolerance, which involves the acceptance by the public of, and its respect for, diversity, including with regard to religious expression, and underlining also the fact that education, in particular at school, should contribute in a meaningful way to promoting tolerance and the elimination of discrimination based on religion or belief,

1. *Stresses* that everyone has the right to freedom of thought, conscience and religion or belief, which includes the freedom to have or not to have, or to adopt, a religion or belief of one's own choice and the freedom, either alone or in community with others and in public or private, to manifest one's religion or belief in teaching, practice, worship and observance, including the right to change one's religion or belief;

2. *Emphasizes* that the right to freedom of thought, conscience and religion or belief applies equally to all persons, regardless of their religion or belief and without any discrimination as to their equal protection by the law;

3. *Strongly condemns* violations of freedom of thought, conscience and religion or belief as well as all forms of intolerance, discrimination and violence based on religion or belief;

4. *Recognizes with deep concern* the overall rise in instances of discrimination, intolerance and violence, regardless of the actors, directed against members of many religious and other communities in various parts of the world, including cases motivated by Islamophobia, anti-Semitism and Christianophobia and prejudices against persons of other religions or beliefs;

5. *Reaffirms* that terrorism cannot and should not be associated with any religion or belief as this may have adverse consequences for the enjoyment of the right to freedom of religion or belief of all members of the religious communities concerned;

6. *Strongly condemns* violence and acts of terrorism, which are increasing in number and intensity, targeting individuals, including persons belonging to religious minorities, on the basis of or in the name of religion or belief, and underlines the importance of a comprehensive and inclusive community-based preventive approach, involving a wide set of actors, including civil society and religious communities;

7. *Recalls* that States have an obligation to exercise due diligence to prevent, investigate and punish acts of violence, intimidation and harassment against a person or a group of persons belonging to a religious minority, regardless of the perpetrator, and that failure to do so may constitute a human rights violation;

8. *Emphasizes* that freedom of religion or belief, freedom of opinion and expression, the right to peaceful assembly and the right to freedom of association are interdependent, interrelated and mutually reinforcing, and stresses the role that these rights can play in the fight against all forms of intolerance and of discrimination based on religion or belief;

9. *Strongly condemns* any advocacy of hatred based on religion or belief that constitutes incitement to discrimination, hostility or violence, whether it involves the use of print, audiovisual or electronic media or any other means;

10. *Expresses concern* at the persistence of institutionalized social intolerance and discrimination practised against many on the grounds of religion or belief, and emphasizes that legal procedures pertaining to religious or belief-based groups and places of worship are not a prerequisite for the exercise of the right to manifest one's religion or belief and that such procedures, when legally required at the national or local level, should be non-discriminatory in order to contribute to the effective protection of the right of all persons to practise their religion or belief, either individually or in community with others and in public or private;

11. *Recognizes with concern* the challenges that persons in vulnerable situations, including persons deprived of their liberty, refugees, asylum seekers and internally displaced persons, children, persons belonging to national or ethnic, religious and linguistic minorities and migrants, as well as women, are facing as regards their ability to freely exercise their right to freedom of religion or belief;

12. *Emphasizes* that, as underlined by the Human Rights Committee, restrictions on the freedom to manifest one's religion or belief are permitted only if limitations are prescribed by law, are necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others, are non-discriminatory and are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion or belief;

13. *Expresses deep concern* at continued obstacles to the enjoyment of the right to freedom of religion or belief as well as the increasing number of instances of intolerance, discrimination and violence based on religion or belief, including:

(a) Acts of violence and intolerance directed against individuals based on their religion or belief, including religious persons and persons belonging to religious minorities and other communities in various parts of the world;

(b) The rise of religious extremism in various parts of the world that affects the human rights of individuals, including persons belonging to religious minorities;

(c) Incidents of hatred, discrimination, intolerance and violence based on religion or belief, which may be associated with or manifested by the derogatory stereotyping, negative profiling and stigmatization of persons based on their religion or belief;

(d) Attacks on or destruction of religious places, sites and shrines that violate international law, in particular international human rights law and international humanitarian law, as they have more than material significance for the dignity and lives of persons holding spiritual or religious beliefs;

(e) Instances, both in law and practice, that constitute violations of the human right to freedom of religion or belief, including of the individual right to publicly express one's spiritual and religious beliefs, taking into account the relevant articles of the International Covenant on Civil and Political Rights,[1] as well as other international instruments;

(f) Constitutional and legislative systems that fail to provide adequate and effective guarantees of freedom of thought, conscience and religion or belief to all without distinction;

14. *Urges* States to step up their efforts to protect and promote freedom of thought, conscience and religion or belief, and to this end:

(a) To ensure that their constitutional and legislative systems provide adequate and effective guarantees of freedom of thought, conscience and religion or belief to all without distinction by, inter alia, providing access to justice, including by facilitating legal assistance and effective remedies in cases where the right to freedom of thought, conscience and religion or belief or the right to freely choose and practise one's religion or belief is violated, paying particular attention to persons belonging to religious minorities;

(b) To implement all accepted universal periodic review recommendations related to the promotion and protection of freedom of religion or belief;

(c) To ensure that no one within their territory and subject to their jurisdiction is deprived of the right to life, liberty and security of person because of

religion or belief, to provide adequate protection to persons at risk of violent attack on the grounds of their religion or belief, to ensure that no one is subjected to torture or other cruel, inhuman or degrading treatment or punishment or arbitrary arrest or detention on that account and to bring to justice all perpetrators of violations of these rights;

(d) To end violations of the human rights of women and girls and to devote particular attention to appropriate measures modifying or abolishing existing laws, regulations, customs and practices that discriminate against them, including in the exercise of their right to freedom of thought, conscience and religion or belief, and to foster practical ways to ensure gender equality;

(e) To ensure that existing legislation is not implemented in a discriminatory manner or does not result in discrimination based on religion or belief, that no one is discriminated against on the basis of his or her religion or belief when accessing, inter alia, education, medical care, employment, humanitarian assistance or social benefits and that everyone has the right and the opportunity to have access, on general terms of equality, to public services in their country, without any discrimination based on religion or belief;

(f) To review, whenever relevant, existing registration practices in order to ensure that such practices do not limit the right of all persons to manifest their religion or belief, either alone or in community with others and in public or private;

(g) To ensure that no official documents are withheld from the individual on the grounds of religion or belief and that everyone has the right to refrain from disclosing information concerning their religious affiliation in such documents against their will;

(h) To ensure, in particular, the right of all persons to worship, assemble or teach in connection with a religion or belief, their right to establish and maintain places for these purposes and the right of all persons to seek, receive and impart information and ideas in these areas;

(i) To ensure that, in accordance with appropriate national legislation and in conformity with international human rights law, the freedom of all persons and members of groups to establish and maintain religious, charitable or humanitarian institutions is fully respected and protected;

(j) To ensure that all public officials and civil servants, including members of law enforcement bodies, and personnel of detention facilities, the military and educators, in the course of fulfilling their official duties, respect freedom of religion or belief and do not discriminate for reasons based on religion or belief, and that they receive all necessary and appropriate awareness-raising, education or training on respect for freedom of religion or belief;

(k) To take all necessary and appropriate action, in conformity with international standards of human rights, to combat hatred, discrimination, intolerance and acts of violence, intimidation and coercion motivated by intolerance based on religion or belief, as well as incitement to hostility and violence, with particular regard to persons belonging to religious minorities in all parts of the world;

(l) To promote, through education and other means, mutual understanding, tolerance, non-discrimination and respect in all matters relating to freedom of religion or belief by encouraging, in society at large, a wider knowledge of the diversity of religions and beliefs and of the history, traditions, languages and cultures of the various religious minorities existing within their jurisdiction;

(m) To prevent any distinction, exclusion, restriction or preference based on religion or belief that impairs the recognition, enjoyment or exercise of human rights and fundamental freedoms on an equal basis and to detect signs of intolerance that may lead to discrimination based on religion or belief;

15. *Welcomes and encourages* initiatives by the media to promote tolerance and respect for religious and cultural diversity and the universal promotion and protection of human rights, including freedom of religion or belief, and stresses the importance of unhindered participation in the media and in public discourse for all persons, regardless of their religion or belief;

16. *Stresses* the importance of a continued and strengthened dialogue in all its forms, including among and within religions or beliefs, and with broader participation, including of women, to promote greater tolerance, respect and mutual understanding, and welcomes different initiatives in this regard, including the Alliance of Civilizations initiative and the programmes led by the United Nations Educational, Scientific and Cultural Organization;

17. *Welcomes and encourages* the continuing efforts of all actors in society, including national human rights institutions, non-governmental organizations and bodies and groups based on religion or belief, to promote the implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,[5] and further encourages their work in promoting freedom of religion or belief, in highlighting cases of religious intolerance, discrimination and persecution and in promoting religious tolerance;

18. *Recommends* that States, the United Nations and other actors, including national human rights institutions, non-governmental organizations and bodies and groups based on religion or belief, in their efforts to promote freedom of religion or belief, ensure the widest possible dissemination of the text of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief in as many different languages as possible, and promote its implementation;

19. *Takes note with appreciation* of the work and the interim report of the Special Rapporteur of the Human Rights Council on freedom of religion or belief on the broad range of violations of freedom of religion or belief, their root causes and variables;[6]

20. *Urges* all Governments to cooperate fully with the Special Rapporteur, to respond favourably to his requests to visit their countries and to provide all information and follow-up necessary for the effective fulfilment of his mandate;

21. *Requests* the Secretary-General to ensure that the Special Rapporteur receives the resources necessary to fully discharge his mandate;

[5] Resolution 36/55.

[6] A/71/269.

22. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its seventy-second session;

23. *Decides* to consider the question of the elimination of all forms of religious intolerance at its seventy-second session under the item entitled "Promotion and protection of human rights".

Draft resolution XII
Globalization and its impact on the full enjoyment of all human rights

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations, and expressing, in particular, the need to achieve international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction,

Recalling the Universal Declaration of Human Rights,[1] as well as the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[2] the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001,[3] the outcome document of the Durban Review Conference, adopted on 24 April 2009,[4] and the political declaration of the high-level meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action, entitled "United against racism, racial discrimination, xenophobia and related intolerance", of 22 September 2011,[5]

Recalling also the International Covenant on Civil and Political Rights[6] and the International Covenant on Economic, Social and Cultural Rights,[6]

Recalling further the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Recalling the United Nations Millennium Declaration[7] and the outcome documents of the twenty-third[8] and twenty-fourth[9] special sessions of the General Assembly, held in New York from 5 to 10 June 2000 and in Geneva from 26 June to 1 July 2000, respectively,

Recalling also its resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development",

Recalling further its resolutions 66/154 of 19 December 2011, 67/165 of 20 December 2012, 68/168 of 18 December 2013 and 69/173 of 18 December 2014,

Recalling Commission on Human Rights resolution 2005/17 of 14 April 2005 on globalization and its impact on the full enjoyment of all human rights,[10]

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[1] Resolution 217 A (III).
[2] A/CONF.157/24 (Part I), chap. III.
[3] See A/CONF.189/12 and Corr.1, chap. I.
[4] See A/CONF.211/8, chap. I.
[5] Resolution 66/3.
[6] See resolution 2200 A (XXI), annex.
[7] Resolution 55/2.
[8] Resolution S-23/2, annex, and resolution S-23/3, annex.
[9] Resolution S-24/2, annex.
[10] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

Recalling also Human Rights Council resolutions 21/5 of 27 September 2012[11] on the contribution of the United Nations system as a whole to the advancement of the business and human rights agenda and the dissemination and implementation of the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework,[12] 26/9 of 26 June 2014[13] on the elaboration of an international legally binding instrument on transnational corporations and other business enterprises with respect to human rights and 26/22 of 27 June 2014[13] on human rights and transnational corporations and other business enterprises,

Recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Realizing that globalization affects all countries differently and makes them more exposed to external developments, positive as well as negative, inter alia, in the field of human rights,

Realizing also that globalization is not merely an economic process, but that it also has social, political, environmental, cultural and legal dimensions, which have an impact on the full enjoyment of all human rights and fundamental freedoms,

Emphasizing the need to fully implement the global partnership for development and enhance the momentum generated by the 2005 World Summit in order to operationalize and implement the commitments made in the outcomes of the major United Nations conferences and summits, including the 2005 World Summit, in the economic, social and related fields, and reaffirming in particular the commitment contained in paragraphs 19 and 47 of the 2005 World Summit Outcome[14] to promote fair globalization and the development of the productive sectors in developing countries to enable them to participate more effectively in and benefit from the process of globalization,

Realizing the need to undertake a thorough, independent and comprehensive assessment of the social, environmental and cultural impact of globalization on societies,

Recognizing in each culture a dignity and value that deserve recognition, respect and preservation, convinced that, in their rich variety and diversity and in the reciprocal influences that they exert on one another, all cultures form part of the common heritage belonging to all humankind, and aware of the risk that globalization poses more of a threat to cultural diversity if the developing world remains poor and marginalized,

Recognizing also that multilateral mechanisms have a unique role to play in meeting the challenges and opportunities presented by globalization,

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[11] See *Official Records of the General Assembly, Sixty-seventh Session, Supplement No. 53A* (A/67/53/Add.1), chap. III.

[12] A/HRC/17/31, annex.

[13] See *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. V, sect. A.

[14] Resolution 60/1.

Realizing the need to consider the challenges and opportunities linked to globalization with a view to addressing such challenges and building on possible opportunities in order to achieve the full enjoyment of all human rights,

Emphasizing the global character of the migratory phenomenon, the importance of international, regional and bilateral cooperation and the need to protect the human rights of migrants, particularly at a time when migration flows have increased in the globalized economy,

Expressing grave concern at the negative impact of international financial turmoil on social and economic development and on the full enjoyment of all human rights, particularly in the light of the continuing global financial and economic crisis, which may have an adverse impact on the ability of Member States to implement the 2030 Agenda for Sustainable Development, and recognizing that developing countries are in a more vulnerable situation when facing such impact and that regional economic cooperation and development strategies and programmes can play a role in mitigating such impact,

Expressing deep concern at the negative impact of the continuing global food and energy crises and climate change challenges on social and economic development and on the full enjoyment of all human rights for all,

Recognizing that globalization should be guided by the fundamental principles that underpin the corpus of human rights, such as equity, participation, accountability, non-discrimination, transparency, inclusivity and equality at both the national and the international levels, respect for diversity, tolerance and international cooperation and solidarity,

Emphasizing that the existence of widespread extreme poverty inhibits the full realization and effective enjoyment of human rights and that its immediate alleviation and eventual elimination must remain a high priority for the international community,

Acknowledging that there is greater acceptance that the increasing debt burden faced by the most indebted developing countries is unsustainable and constitutes one of the principal obstacles to achieving sustainable development and poverty eradication and that, for many developing countries, excessive debt servicing has severely constrained their capacity to promote social development and to provide basic services to realize economic, social and cultural rights,

Strongly reiterating the determination to ensure the timely and full realization of the sustainable development goals and objectives agreed at the major United Nations conferences and summits, including those agreed at the United Nations summit for the adoption of the post 2015 sustainable development agenda, which aim to galvanize efforts towards poverty eradication,

Gravely concerned at the inadequacy of measures to narrow the widening gap between the developed and the developing countries, and within countries, which has contributed to, inter alia, deepening poverty and has adversely affected the full enjoyment of all human rights, in particular in developing countries,

Emphasizing that transnational corporations and other business enterprises have a responsibility to respect all human rights,

Emphasizing also that human beings strive for a world that is respectful of human rights and cultural diversity and that, in this regard, they work to ensure that all activities, including those affected by globalization, are consistent with those aims,

1. *Welcomes* the adoption by the Heads of State and Government and High Representatives, meeting at United Nations Headquarters in New York from 25 to 27 September 2015, of the 2030 Agenda for Sustainable Development;[15]

2. *Recognizes* that, while globalization, through its impact on, inter alia, the role of the State, may affect human rights, the promotion and protection of all human rights is first and foremost the responsibility of the State;

3. *Emphasizes* that development should be at the centre of the international economic agenda and that coherence between national development strategies and international obligations and commitments is imperative for an enabling environment for development and an inclusive and equitable globalization;

4. *Reaffirms* that narrowing the gap between rich and poor, both within and between countries, is an explicit goal at the national and international levels, as part of the effort to create an enabling environment for the full enjoyment of all human rights;

5. *Also reaffirms* the commitment to create an environment at both the national and the global levels that is conducive to development and to the eradication of poverty by, inter alia, promoting good governance within each country and at the international level, eliminating protectionism, enhancing transparency in the financial, monetary and trading systems and committing to an open, equitable, rules-based, predictable and non-discriminatory multilateral trading and financial system;

6. *Recognizes* the impacts that the global financial and economic crisis is still having on the ability of countries, particularly developing countries, to mobilize resources for development and to address the impact of this crisis, and in this context calls upon all States and the international community to alleviate, in an inclusive and development-oriented manner, any negative impacts of this crisis on the realization and the effective enjoyment of all human rights;

7. *Also recognizes* that, while globalization offers great opportunities, the fact that its benefits are very unevenly shared and its costs unevenly distributed represents an aspect of the process that affects the full enjoyment of all human rights, in particular in developing countries;

8. *Welcomes* the report of the United Nations High Commissioner for Human Rights on globalization and its impact on the full enjoyment of human rights,[16] which focuses on the liberalization of agricultural trade and its impact on the realization of the right to development, including the right to food, and takes note of the conclusions and recommendations contained therein;

9. *Reaffirms* the international commitment to eliminating hunger and to securing food for all, today and tomorrow, and reiterates that the relevant United

[15] Resolution 70/1.
[16] E/CN.4/2002/54.

Nations organizations should be assured the resources needed to expand and enhance their food assistance and support social safety net programmes designed to address hunger and malnutrition, when appropriate, through the use of local or regional purchase;

10. *Calls upon* Member States, relevant agencies of the United Nations system, intergovernmental organizations and civil society to promote inclusive, equitable and environmentally sustainable economic growth for managing globalization so that poverty is systematically reduced and the international development targets are achieved;

11. *Recognizes* that the responsible operations of transnational corporations and other business enterprises can contribute to the promotion, protection and fulfilment of all human rights and fundamental freedoms, in particular economic, social and cultural rights;

12. *Also recognizes* that only through broad and sustained efforts, including policies and measures at the global level to create a shared future based upon our common humanity in all its diversity, can globalization be made fully inclusive and equitable and have a human face, thus contributing to the full enjoyment of all human rights;

13. *Underlines* the urgent need to establish an equitable, transparent and democratic international system to strengthen and broaden the participation of developing countries in international economic decision-making and norm-setting;

14. *Affirms* that globalization is a complex process of structural transformation, with numerous interdisciplinary aspects, which has an impact on the enjoyment of civil, political, economic, social and cultural rights, including the right to development;

15. *Also affirms* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that promotes and protects human rights while ensuring respect for the cultural diversity of all;

16. *Underlines*, therefore, the need to continue to analyse the consequences of globalization for the full enjoyment of all human rights;

17. *Takes note* of the report of the Secretary-General,[17] and requests him to continue to seek further the views of Member States and relevant agencies of the United Nations system and to submit to the General Assembly at its seventy-second session a substantive report on the subject based on those views, including recommendations on ways to address the impact of globalization on the full enjoyment of all human rights.

[17] A/71/271.

Draft resolution XIII
Extrajudicial, summary or arbitrary executions

The General Assembly,

Recalling the Universal Declaration of Human Rights,[1] which guarantees the right to life, liberty and security of person, the relevant provisions of the International Covenant on Civil and Political Rights[2] and other relevant human rights conventions,

Reaffirming the mandate of the Special Rapporteur of the Human Rights Council on extrajudicial, summary or arbitrary executions, as set out in Council resolution 26/12 of 26 June 2014,[3]

Welcoming the universal ratification of the Geneva Conventions of 12 August 1949,[4] which, alongside international human rights law, provide important legal frameworks of accountability in relation to extrajudicial, summary or arbitrary executions during armed conflict,

Recalling all its resolutions on the subject of extrajudicial, summary or arbitrary executions as well as the resolutions of the Commission on Human Rights and the Human Rights Council on the subject, and emphasizing the importance of their full and effective implementation,

Recognizing the positive role that regional human rights systems can play in the global protection against arbitrary deprivation of life,

Acknowledging the importance of the 2030 Agenda for Sustainable Development[5] and its implementation for the promotion and protection of the enjoyment by all persons of human rights, gender equality, access to justice for all and effective, accountable and inclusive institutions at all levels,

Noting with deep concern that impunity continues to be a major cause of the perpetuation of violations of human rights, including extrajudicial, summary or arbitrary executions,

Noting that enforced disappearances can end up in extrajudicial, summary or arbitrary executions, recalling the importance in this regard of the International Convention for the Protection of All Persons from Enforced Disappearance,[6] and calling upon all States which have not yet done so to consider signing and ratifying or acceding to the Convention,

Acknowledging that international human rights law and international humanitarian law are complementary and mutually reinforcing,

Noting with deep concern the growing number of civilians and persons hors de combat killed in situations of armed conflict and internal strife, and that women and

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[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] See *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. V, sect. A.

[4] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[5] Resolution 70/1.

[6] Resolution 61/177, annex.

girls are disproportionately affected by conflict, as recognized in Security Council resolution 1325 (2000) of 31 October 2000 on women and peace and security and subsequent resolutions on the matter,

Noting also with deep concern the continuing instances of the arbitrary deprivation of life, resulting from, inter alia, the imposition and implementation of capital punishment when carried out in a manner that violates international law,

Recalling the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)[7] and the adoption of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules),[8]

Deeply concerned about acts that can amount to extrajudicial, summary or arbitrary executions committed against persons exercising their rights of peaceful assembly and freedom of expression in all regions of the world,

Deeply concerned also about killings committed by non-State actors, including terrorist groups and criminal organizations, which may amount to abuses of international human rights law and violations of international humanitarian law,

Acknowledging that extrajudicial, summary or arbitrary executions may under certain circumstances amount to genocide, crimes against humanity or war crimes, as defined in international law, including in the Rome Statute of the International Criminal Court,[9] and recalling in this regard that each individual State has the responsibility to protect its populations from such crimes, as set out by the General Assembly in its resolutions 60/1 of 16 September 2005 and 63/308 of 14 September 2009,

Convinced of the need for effective action to prevent, combat and eliminate the abhorrent practice of extrajudicial, summary or arbitrary executions, which represent flagrant violations of international human rights law, particularly the right to life, as well as of international humanitarian law,

1. *Reiterates its strong condemnation* of all the extrajudicial, summary or arbitrary executions that continue to occur throughout the world;

2. *Demands* that all States ensure that the practice of extrajudicial, summary or arbitrary executions is brought to an end and that they take effective action to prevent, combat and eliminate the phenomenon in all its forms and manifestations;

3. *Reiterates* that all States must conduct prompt, exhaustive and impartial investigations into all suspected cases of extrajudicial, summary or arbitrary executions, identify and bring to justice those responsible, while ensuring the right of every person to a fair hearing by a competent, independent and impartial tribunal established by law, grant adequate compensation within a reasonable time to the victims or their families and adopt all necessary measures, including legal and judicial measures, also bearing in mind gender equality in access to justice, to put an end to impunity and prevent the further occurrence of such executions, as

[7] Resolution 65/229, annex.
[8] Resolution 70/175, annex.
[9] United Nations, *Treaty Series*, vol. 2187, No. 38544.

recommended in the Principles on the Effective Prevention and Investigation of Extralegal, Arbitrary and Summary Executions,[10] fully consistent with their obligations under international law;

4. *Calls upon* Governments, and invites intergovernmental and non-governmental organizations, to pay greater attention to the work of national-level commissions of inquiry into extrajudicial, summary or arbitrary executions, with a view to ensuring the effective contribution of these commissions to accountability and to combating impunity;

5. *Calls upon* all States, in order to prevent extrajudicial, summary or arbitrary executions, to comply with their obligations under the relevant provisions of international human rights instruments, and also calls upon States which retain the death penalty to pay particular regard to the provisions contained in articles 6, 14 and 15 of the International Covenant on Civil and Political Rights[2] and articles 37 and 40 of the Convention on the Rights of the Child,[11] bearing in mind the safeguards and guarantees set out in Economic and Social Council resolutions 1984/50 of 25 May 1984 and 1989/64 of 24 May 1989 and taking into account the recommendations of the Special Rapporteur of the Human Rights Council on extrajudicial, summary or arbitrary executions in his reports to the Council and the General Assembly, including the report submitted to the Assembly at its sixty-seventh session,[12] regarding the need to respect all safeguards and restrictions, including limitation to the most serious crimes, stringent respect of due process and fair trial safeguards and the right to seek pardon or commutation of sentence;

6. *Urges* all States:

(a) To take all measures required by international human rights law and international humanitarian law to prevent loss of life, in particular that of children, during detention, arrest, public demonstrations, internal and communal violence, civil unrest, public emergencies or armed conflicts and to ensure that the police, law enforcement agents, armed forces and other agents acting on behalf of or with the consent or acquiescence of the State act with restraint and in conformity with international human rights law and international humanitarian law, including the principles of proportionality and necessity, and in this regard to ensure that police and law enforcement officials are guided by the Code of Conduct for Law Enforcement Officials[13] and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;[14]

(b) To ensure the effective protection of the right to life of all persons, to conduct, when required by obligations under international law, prompt, exhaustive and impartial investigations into all killings, including those targeted at specific groups of persons, such as racially motivated violence leading to the death of the victim, killings of persons belonging to national or ethnic, religious and linguistic

[10] Economic and Social Council resolution 1989/65, annex.
[11] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[12] A/67/275.
[13] Resolution 34/169, annex.
[14] See *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.

minorities or because of their sexual orientation or gender identity, killings of persons affected by terrorism or hostage-taking or living under foreign occupation, killings of refugees, internally displaced persons, migrants, street children or members of indigenous communities, killings of persons for reasons related to their activities as human rights defenders, lawyers, journalists or demonstrators, killings committed in the name of passion or in the name of honour and killings committed for discriminatory reasons on any basis, to bring those responsible to justice before a competent, independent and impartial judiciary at the national or, where appropriate, international level and to ensure that such killings, including those committed by security forces, police and law enforcement agents, paramilitary groups or private forces, are neither condoned nor sanctioned by State officials or personnel;

7. *Affirms* the obligation of States, in order to prevent extrajudicial, summary or arbitrary executions, to protect the lives of all persons deprived of their liberty in all circumstances and to investigate and respond to deaths in custody;

8. *Encourages* States, taking into account the relevant recommendations of the United Nations and of regional human rights systems, to review, where necessary, their domestic laws and practices with regard to the use of force in law enforcement in order to ensure that these laws and practices are in conformity with their international obligations and commitments;

9. *Also encourages* States to accelerate the work on fulfilling the 2030 Agenda for Sustainable Development,[5] bearing in mind the importance of the full enjoyment of human rights and access to justice for all and effective, accountable and inclusive institutions at all levels, as well as the systematic mainstreaming of a gender perspective;

10. *Urges* all States to ensure that all persons deprived of their liberty are treated humanely and with full respect for international law and that their treatment, including judicial guarantees and conditions, conforms to, as appropriate, the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules),[8] as well as the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)[7] and, where applicable, the Geneva Conventions of 12 August 1949[4] and the Additional Protocols thereto of 8 June 1977,[15] as well as other pertinent international instruments;

11. *Welcomes* the International Criminal Court as an important contribution to ending impunity concerning extrajudicial, summary or arbitrary executions, and, noting the growing awareness of the Court worldwide, calls upon those States that are under an obligation to cooperate with the Court to provide such cooperation and assistance in the future, in particular with regard to arrest and surrender, the provision of evidence, the protection and relocation of victims and witnesses and the enforcement of sentences, also welcomes the fact that 124 States have already ratified or acceded to and 139 States have signed the Rome Statute of the Court, and calls upon all those States that have not ratified or acceded to the Rome Statute and

[15] United Nations, *Treaty Series*, vol. 1125, Nos. 17512 and 17513.

the Agreement on the Privileges and Immunities of the International Criminal Court[16] to give serious consideration to doing so;

12. *Acknowledges* the importance of ensuring the protection of witnesses for the prosecution of those suspected of extrajudicial, summary or arbitrary executions, urges States to intensify efforts to establish and implement effective witness protection programmes or other measures, and in this regard encourages the Office of the United Nations High Commissioner for Human Rights to develop practical tools designed to encourage and facilitate greater attention to the protection of witnesses;

13. *Encourages* Governments and intergovernmental and non-governmental organizations to organize training programmes and to support projects with a view to training or educating military forces, law enforcement officers and government officials in international humanitarian and human rights law connected with their work and to include a gender and child rights perspective in such training, and appeals to the international community and requests the Office of the High Commissioner to support endeavours to that end;

14. *Takes note with appreciation* of the reports of the Special Rapporteur to the General Assembly[17] and the Human Rights Council, and invites States to take due consideration of the recommendations contained therein;

15. *Commends* the important role that the Special Rapporteur plays towards the elimination of extrajudicial, summary or arbitrary executions, and encourages the Special Rapporteur to continue, within his or her mandate, to collect information, including data disaggregated by sex, from all concerned, to respond effectively to reliable information that comes before him or her, to follow up on communications and country visits and to seek the views and comments of Governments and to reflect them, as appropriate, in his or her reports;

16. *Acknowledges* the important role of the Special Rapporteur in identifying cases where extrajudicial, summary or arbitrary executions could amount to genocide and crimes against humanity or war crimes, and urges the Special Rapporteur to collaborate with the United Nations High Commissioner for Human Rights and, as appropriate, the Special Adviser to the Secretary-General on the Prevention of Genocide in addressing situations of extrajudicial, summary or arbitrary executions that are of particularly serious concern or in which early action might prevent further deterioration;

17. *Welcomes* the cooperation established between the Special Rapporteur and other United Nations mechanisms and procedures in the field of human rights, and encourages the Special Rapporteur to continue his or her efforts in that regard;

18. *Urges* all States, in particular those that have not done so, to cooperate with the Special Rapporteur so that his or her mandate can be carried out effectively, including by favourably and rapidly responding to requests for visits, mindful that country visits are one of the essential tools for the fulfilment of his or her mandate, and by responding in a timely manner to communications and other requests transmitted to them by the Special Rapporteur;

[16] Ibid., vol. 2271, No. 40446.

[17] See A/70/304 and A/71/372.

19. *Expresses its appreciation* to those States that have received the Special Rapporteur, asks them to examine his recommendations carefully, invites them to inform the Special Rapporteur of the actions taken on those recommendations, and requests other States to cooperate in a similar way;

20. *Once again requests* the Secretary-General to continue to use his best endeavours in cases where the minimum standards of legal safeguards provided for in articles 6, 9, 14 and 15 of the International Covenant on Civil and Political Rights appear not to have been respected;

21. *Requests* the Secretary-General to provide the Special Rapporteur with adequate human, financial and material resources to enable him or her to carry out his or her mandate effectively, including through country visits;

22. *Also requests* the Secretary-General to continue, in close collaboration with the High Commissioner and in conformity with the mandate of the High Commissioner, established by the General Assembly in its resolution 48/141 of 20 December 1993, to ensure that personnel specialized in international humanitarian and human rights law, including in provisions related to gender equality, form part of United Nations missions, where appropriate, in order to deal with serious violations of human rights, such as extrajudicial, summary or arbitrary executions;

23. *Requests* the Special Rapporteur to submit to the General Assembly, at its seventy-second and seventy-third sessions, a report on the situation worldwide with regard to extrajudicial, summary or arbitrary executions and his or her recommendations for more effective action to combat this phenomenon;

24. *Decides* to continue its consideration of the question at its seventy-third session.

Draft resolution XIV
The right to privacy in the digital age

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations,

Reaffirming also the human rights and fundamental freedoms enshrined in the Universal Declaration of Human Rights[1] and relevant international human rights treaties, including the International Covenant on Civil and Political Rights[2] and the International Covenant on Economic, Social and Cultural Rights,[2]

Reaffirming further the Vienna Declaration and Programme of Action,[3]

Recalling General Assembly resolutions 68/167 of 18 December 2013 and 69/166 of 18 December 2014, as well as Human Rights Council resolutions 28/16 of 26 March 2015 on the right to privacy in the digital age[4] and 32/13 of 1 July 2016 on the promotion, protection and enjoyment of human rights on the Internet,[5] and welcoming the appointment of the Special Rapporteur of the Human Rights Council on the right to privacy,

Welcoming the outcome document of the high-level meeting of the General Assembly on the overall review of the implementation of the outcomes of the World Summit on the Information Society,[6]

Taking note of the reports of the Special Rapporteur on the right to privacy[7] and the reports of the Special Rapporteur of the Human Rights Council on the promotion and protection of the right to freedom of opinion and expression,[8]

Welcoming the work of the Office of the United Nations High Commissioner for Human Rights on the right to privacy in the digital age, noting with interest its report thereon,[9] and recalling the panel discussion on the right to privacy in the digital age held during the twenty-seventh session of the Human Rights Council,

Noting that the rapid pace of technological development enables individuals all over the world to use new information and communications technologies and at the same time enhances the capacity of governments, companies and individuals to undertake surveillance, interception and data collection, which may violate or abuse human rights, in particular the right to privacy, as set out in article 12 of the Universal Declaration of Human Rights and article 17 of the International Covenant on Civil and Political Rights, and is therefore an issue of increasing concern,

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[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] A/CONF.157/24 (Part I), chap. III.
[4] See *Official Records of the General Assembly, Seventieth Session, Supplement No. 53* (A/70/53), chap. III, sect. A.
[5] Ibid., *Seventy-first Session, Supplement No. 53* (A/71/53), chap. V, sect. A.
[6] Resolution 70/125.
[7] A/HRC/31/64 and A/71/368.
[8] A/HRC/32/38 and A/71/373.
[9] A/HRC/27/37.

Noting also that violations and abuses of the right to privacy in the digital age may affect all individuals, including with particular effects on women, as well as children and those who are vulnerable or marginalized,

Reaffirming the human right to privacy, according to which no one shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, and the right to the protection of the law against such interference, and recognizing that the exercise of the right to privacy is important for the realization of the right to freedom of expression and to hold opinions without interference and the right to freedom of peaceful assembly and association, and is one of the foundations of a democratic society,

Noting with appreciation general comment No. 16 of the Human Rights Committee on the right to respect of privacy, family, home and correspondence, and protection of honour and reputation, while also noting the vast technological leaps that have taken place since its adoption[10] and the need to discuss the right to privacy in view of the challenges of the digital age,

Recognizing the need to further discuss and analyse, based on international human rights law, issues relating to the promotion and protection of the right to privacy in the digital age, procedural safeguards, effective domestic oversight and remedies, the impact of surveillance on the right to privacy and other human rights, as well as the need to examine the principles of non-arbitrariness and lawfulness, and the relevance of necessity and proportionality assessments in relation to surveillance practices,

Noting the holding of the Global Multi-stakeholder Meeting on the Future of Internet Governance (NETmundial) and the multi-stakeholder discussions that take place annually in the Internet Governance Forum, which is a multi-stakeholder forum for discussions of Internet governance issues and whose mandate was extended by the General Assembly in 2015 for another 10 years,[6] and recognizing that effectively addressing the challenges relating to the right to privacy in the context of modern communications technology requires an ongoing, concerted multi-stakeholder engagement,

Affirming that this engagement is greatly facilitated by informal dialogues about the right to privacy among all relevant stakeholders,

Recognizing that the discussion on the right to privacy should be based upon existing international and domestic legal obligations, including international human rights law, as well as relevant commitments, and should not open the path for undue interference with an individual's human rights,

Stressing the importance of full respect for the freedom to seek, receive and impart information, including the fundamental importance of access to information and democratic participation,

Recalling that the right to privacy is important for the exercise of freedom of expression, including the right to seek, receive and impart information, contributes to the development of an individual's ability to participate in political, economic,

[10] *Official Records of the General Assembly, Forty-third Session, Supplement No. 40* (A/43/40), annex VI.

social and cultural life and that digital technology has a considerable impact on the enjoyment of these rights,

Noting that, while metadata can provide benefits, certain types of metadata, when aggregated, can reveal personal information and can give an insight into an individual's behaviour, social relationships, private preferences and identity,

Expressing concern that individuals often do not provide their free, explicit and informed consent to the sale or multiple resale of their personal data, as the collecting, processing and sharing of personal data, including sensitive data, have increased significantly in the digital age,

Emphasizing that unlawful or arbitrary surveillance and/or interception of communications, as well as the unlawful or arbitrary collection of personal data, as highly intrusive acts, violate the right to privacy, can interfere with the right to freedom of expression and may contradict the tenets of a democratic society, including when undertaken on a mass scale,

Recognizing that the same rights that people have offline must also be protected online, including the right to privacy,

Noting in particular that surveillance of digital communications must be consistent with international human rights obligations and must be conducted on the basis of a legal framework, which must be publicly accessible, clear, precise, comprehensive and non-discriminatory and that any interference with the right to privacy must not be arbitrary or unlawful, bearing in mind what is reasonable to the pursuance of legitimate aims, and recalling that States that are parties to the International Covenant on Civil and Political Rights must undertake the necessary steps to adopt laws or other measures as may be necessary to give effect to the rights recognized in the Covenant,

Emphasizing that States must respect international human rights obligations regarding the right to privacy when they intercept digital communications of individuals and/or collect personal data and when they require disclosure of personal data from third parties, including private companies,

Recognizing the global and open nature of the Internet as a driving force in accelerating progress towards development in its various forms, including in achieving the Sustainable Development Goals,[11]

Noting that general comment No. 16 on article 17 of the International Covenant on Civil and Political Rights recommends that States take effective measures to prevent the unlawful retention, processing and use of personal data stored by public authorities and business enterprises,

Noting also that the increasing capabilities of business enterprises to collect, process and use personal data can pose a risk to the enjoyment of the right to privacy in the digital age,

Welcoming measures taken by business enterprises, on a voluntary basis, to provide transparency to their users about their policies regarding requests by State authorities for access to user data and information,

[11] See resolution 70/1.

Recalling that business enterprises have a responsibility to respect human rights, applicable laws, international principles and standards,

Deeply concerned at the negative impact that surveillance and/or interception of communications, including extraterritorial surveillance and/or interception of communications, as well as the collection of personal data, in particular when carried out on a mass scale, may have on the exercise and enjoyment of human rights,

Noting with deep concern that, in many countries, persons and organizations engaged in promoting and defending human rights and fundamental freedoms frequently face threats and harassment and suffer insecurity as well as unlawful or arbitrary interference with their right to privacy as a result of their activities,

Noting that, while concerns about public security may justify the gathering and protection of certain sensitive information, States must ensure full compliance with their obligations under international human rights law,

Noting also in that respect that the prevention and suppression of terrorism is a public interest of great importance, while reaffirming that States must ensure that any measures taken to combat terrorism are in compliance with their obligations under international law, in particular international human rights, refugee and humanitarian law,

Recognizing that an open, secure, stable, accessible and peaceful information and communications technology environment is important to the realization of the right to privacy in the digital age,

1. *Reaffirms* the right to privacy, according to which no one shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, and the right to the protection of the law against such interference, as set out in article 12 of the Universal Declaration of Human Rights[1] and article 17 of the International Covenant on Civil and Political Rights;[2]

2. *Recognizes* the global and open nature of the Internet and the rapid advancement in information and communications technologies as a driving force in accelerating progress towards development in its various forms, including in achieving the Sustainable Development Goals;

3. *Affirms* that the same rights that people have offline must also be protected online, including the right to privacy;

4. *Encourages* all States to promote an open, secure, stable, accessible and peaceful information and communications technology environment based on respect for international law, including the obligations enshrined in the Charter of the United Nations and human rights instruments;

5. *Calls upon* all States:

(a) To respect and protect the right to privacy, including in the context of digital communications;

(b) To take measures to put an end to violations of those rights and to create the conditions to prevent such violations, including by ensuring that relevant

national legislation complies with their obligations under international human rights law;

(c) To review their procedures, practices and legislation regarding the surveillance of communications, their interception and the collection of personal data, including mass surveillance, interception and collection, with a view to upholding the right to privacy by ensuring the full and effective implementation of all their obligations under international human rights law;

(d) To establish or maintain existing independent, effective, adequately resourced and impartial judicial, administrative and/or parliamentary domestic oversight mechanisms capable of ensuring transparency, as appropriate, and accountability for State surveillance of communications, their interception and the collection of personal data;

(e) To provide individuals whose right to privacy has been violated by unlawful or arbitrary surveillance with access to an effective remedy, consistent with international human rights obligations;

(f) To develop or maintain and implement adequate legislation, with effective sanctions and remedies, that protects individuals against violations and abuses of the right to privacy, namely through the unlawful and arbitrary collection, processing, retention or use of personal data by individuals, governments, business enterprises and private organizations;

(g) To further develop or maintain, in this regard, preventive measures and remedies for violations and abuses regarding the right to privacy in the digital age that may affect all individuals, including where there are particular effects for women, as well as children and those vulnerable and marginalized;

(h) To promote quality education and lifelong education opportunities for all to foster, inter alia, digital literacy and the technical skills required to effectively protect their privacy;

(i) To refrain from requiring business enterprises to take steps that interfere with the right to privacy in an arbitrary or unlawful way;

(j) To consider appropriate measures that would enable business enterprises to adopt adequate voluntary transparency measures with regard to requests by State authorities for access to private user data and information;

(k) To develop or maintain legislation, preventive measures and remedies addressing harm from the sale or multiple resale or other corporate sharing of personal data without the individual's free, explicit and informed consent;

6. *Calls upon* business enterprises:

(a) To meet their responsibility to respect human rights in accordance with the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework,[12] including the right to privacy in the digital age;

[12] A/HRC/17/31, annex.

(b) To inform users about the collection, use, sharing and retention of their data that may affect their right to privacy and to establish transparency policies, as appropriate;

7. *Encourages* business enterprises to work towards enabling secure communications and the protection of individual users against arbitrary or unlawful interference with their privacy, including by developing technical solutions;

8. *Encourages* all relevant stakeholders to participate in informal dialogues about the right to privacy, and welcomes the contribution of the Special Rapporteur on the right to privacy to this process;

9. *Encourages* the Human Rights Council to remain actively seized of the debate, with the purpose of identifying and clarifying principles, standards and best practices regarding the promotion and protection of the right to privacy, and to consider holding an expert workshop as a contribution for a future report of the United Nations High Commissioner for Human Rights on this matter;

10. *Decides* to continue the consideration of the question at its seventy-third session.

Draft resolution XV
The role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights

The General Assembly,

Reaffirming its commitment to the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights,[1]

Recalling its resolutions 65/207 of 21 December 2010, 67/163 of 20 December 2012 and 69/168 of 18 December 2014 on the role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights,

1. *Takes note* of the note by the Secretary-General,[2] in which he refers the General Assembly to his report on national institutions for the promotion and protection of human rights submitted to the Human Rights Council at its thirty-third session, in September 2016;[3]

2. *Recalls* paragraph 1 of resolution 69/168, in which it regretted that no specific report on the implementation of resolution 67/163 had been prepared;

3. *Regrets* that, once again, the Secretariat did not provide a specific report on the implementation of General Assembly resolutions on the role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights, despite the request in resolution 69/168, and that the notes by the Secretary-General[4] referring to the reports submitted to the Human Rights Council did not fully correspond to the specific requests by the Assembly in resolutions 69/168 and 67/163;

4. *Notes*, in this regard, the functional and structural differences between national human rights institutions, on the one hand, and the Ombudsman and mediator institutions, on the other, and underlines in this regard that reports on the implementation of General Assembly resolutions on the role of the Ombudsman, mediator and other national human rights institutions should be stand-alone reports;

5. *Requests* the Secretary-General to submit to the General Assembly at its seventy-second session the report requested in resolution 69/168;

6. *Recalls* its request in resolution 69/168 that the Secretary-General report in particular on the obstacles encountered by States in implementing the resolution, as well as on best practices in the work and functioning of ombudsman, mediator and other human rights institutions, and requests him to seek the views of States and other relevant stakeholders, in particular ombudsman, mediator and other national human rights institutions, as well as civil society, in this regard, and to formulate recommendations in his report on how to establish or strengthen such institutions.

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[1] Resolution 217 A (III).
[2] A/71/273.
[3] A/HRC/33/33.
[4] A/69/287 and A/71/273.

Draft resolution XVI
Missing persons

The General Assembly,

Guided by the purposes, principles and provisions of the Charter of the United Nations,

Guided also by the principles and norms of international humanitarian law, in particular the Geneva Conventions of 12 August 1949[1] and the Additional Protocols thereto of 1977,[2] as well as international standards of human rights, in particular the Universal Declaration of Human Rights,[3] the International Covenant on Economic, Social and Cultural Rights,[4] the International Covenant on Civil and Political Rights,[4] the Convention on the Elimination of All Forms of Discrimination against Women,[5] the Convention on the Rights of the Child[6] and the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[7]

Recalling the accession by 53 States to the International Convention for the Protection of All Persons from Enforced Disappearance,[8] and calling upon States that have not yet done so to consider signing, ratifying or acceding to it as a matter of priority, as well as to consider the option provided for in articles 31 and 32 of the Convention regarding the Committee on Enforced Disappearances,

Recalling also all previous relevant resolutions on missing persons adopted by the General Assembly, as well as the resolutions and decisions adopted by the Commission on Human Rights and the Human Rights Council,

Recalling further General Assembly resolution 69/184 as well as all previous resolutions and decisions adopted by the Commission on Human Rights and the Human Rights Council on the right to the truth,

Noting with deep concern that armed conflicts are continuing in various parts of the world, often resulting in serious violations of international humanitarian law and international human rights law,

Noting that the issue of persons reported missing in connection with international or non-international armed conflicts, in particular those who are victims of serious violations of international humanitarian law and international human rights law, continues to have a negative impact on efforts to put an end to those conflicts and inflicts grievous suffering on the families of missing persons, and stressing in this regard the need to address the issue from, inter alia, a humanitarian and rule of law perspective,

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[1] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.
[2] Ibid., vol. 1125, Nos. 17512 and 17513.
[3] Resolution 217 A (III).
[4] See resolution 2200 A (XXI), annex.
[5] United Nations, *Treaty Series*, vol. 1249, No. 20378.
[6] Ibid., vol. 1577, No. 27531.
[7] A/CONF.157/24 (Part I), chap. III.
[8] Resolution 61/177, annex.

Considering that the problem of missing persons may raise questions of international humanitarian law and international human rights law, as appropriate,

Bearing in mind that cases of missing persons involve conduct that may constitute criminal offences, and stressing the importance of ending impunity for violations of international humanitarian law and international human rights law with respect to missing persons,

Cognizant that States that are parties to an armed conflict have a responsibility for countering the phenomenon of missing persons, taking all appropriate measures to prevent persons from going missing, including, when appropriate, effectively investigating the conditions relating to persons going missing and determining the fate of missing persons, and for recognizing their accountability as regards implementing the relevant mechanisms, policies and laws,

Bearing in mind the effective search for and identification of missing persons using forensic sciences, and recognizing that great technological progress has been made in this field, including DNA forensic analysis, which can significantly assist efforts to identify missing persons and to investigate violations of international humanitarian law and international human rights law,

Recognizing that the establishment and effective work of competent national institutions can play a crucial role in clarifying the fate of missing persons in connection with armed conflict,

Recognizing also the importance of addressing the legal situation of missing persons in connection with armed conflict and supporting their family members through national policies that include a gender perspective, as appropriate,

Noting in this regard the progress made by coordination mechanisms, established in different parts of the world, aiming at exchanging information and identifying missing persons, which have contributed to informing families of the fate and whereabouts of their missing relatives,

Recognizing that respect for and implementation of international humanitarian law can reduce the number of cases of missing persons in armed conflict,

Stressing the importance of measures to prevent persons from going missing in connection with armed conflict, which may include enacting national legislation, providing appropriate training for armed forces, producing and providing proper means of identification, the establishment of information bureaux, grave registration services and registers of deaths and ensuring accountability in cases of missing persons,

Noting the signing of the Agreement on the Status and Functions of the International Commission on Missing Persons, to establish the Commission as an international organization,

Noting with appreciation the ongoing international and regional efforts to address the question of missing persons and the initiatives undertaken by international and regional organizations in this field,

1. *Urges* States to strictly observe and to respect and ensure respect for the rules of international humanitarian law, as set out in the Geneva Conventions of

12 August 1949[1] and, where applicable, in the Additional Protocols thereto of 1977;[2]

2. *Calls upon* States that are parties to an armed conflict to take all appropriate measures to prevent persons from going missing in connection with the armed conflict, to account for persons reported missing as a result of such a situation and, in cases of missing persons, to take such measures, as appropriate, as to ensure thorough, prompt, impartial and effective investigations and the prosecution of offences linked to missing persons, consistent with their obligations under international law, with a view to full accountability;

3. *Calls upon* States to take measures to prevent persons from going missing in connection with armed conflict, including by fully implementing their obligations and commitments under relevant international law;

4. *Reaffirms* the right of families to know the fate of their relatives reported missing in connection with armed conflict;

5. *Also reaffirms* that each party to an armed conflict, as soon as circumstances permit and, at the latest, from the end of active hostilities, shall search for the persons who have been reported missing by an adverse party;

6. *Calls upon* States that are parties to an armed conflict to take all necessary measures, in a timely manner, to determine the identity and fate of persons reported missing in connection with the armed conflict and, to the greatest extent possible, to provide their family members, through appropriate channels, with all relevant information that they have on their fate, including their whereabouts or, if they are dead, the circumstances and cause of their death;

7. *Recognizes* the need for appropriate means of identification and for the collection, protection and management of data on missing persons and unidentified remains according to international and national legal norms and standards, and urges all concerned States to cooperate with each other and with other concerned actors working in this area by, inter alia, providing all relevant information related to missing persons, including on their fate and whereabouts;

8. *Requests* States to pay the utmost attention to cases of children reported missing in connection with armed conflict and to take appropriate measures to search for and identify those children and to reunite them with their families;

9. *Invites* States that are parties to an armed conflict to cooperate fully with the International Committee of the Red Cross in establishing the fate of missing persons and to adopt a comprehensive approach to this issue, including all such legal and practical measures and coordination mechanisms as may be necessary, based on humanitarian considerations only;

10. *Urges* States that are parties to an armed conflict to cooperate, consistent with their international obligations, in order to effectively solve cases of missing persons, including by providing mutual assistance in terms of information-sharing, victim assistance, location and identification of missing persons and recovery, identification and return of human remains and, if possible, by identifying, mapping and preserving burial sites;

11. *Invites* States to encourage interaction between competent organizations and institutions, such as national commissions on missing persons, which play a crucial role in clarifying the fate of persons missing in connection with armed conflict and providing support to the families of the missing;

12. *Urges* States, and encourages intergovernmental and non-governmental organizations, to take all necessary measures at the national, regional and international levels to address the problem of persons reported missing in connection with armed conflict and to provide appropriate assistance, as requested by the concerned States, and welcomes in this regard the establishment and efforts of commissions and working groups on missing persons;

13. *Calls upon* States, without prejudice to their efforts to determine the fate of persons reported missing in connection with armed conflict, to take appropriate steps with regard to the legal situation of missing persons and the needs and accompaniment of their family members, with particular attention to the needs of women and children, in such fields as social welfare, psychological and psychosocial support, financial matters, family law and property rights;

14. *Invites* States, national institutions and, as appropriate, intergovernmental, international and non-governmental organizations to further their engagement in order to follow forensic best practices as they apply to preventing and resolving cases of missing persons in connection with armed conflict;

15. *Also invites* States, national institutions and, as appropriate, intergovernmental, international and non-governmental organizations to ensure the development and proper management of archives pertaining to missing persons and unidentified remains in connection with armed conflict, as well as access to those archives in accordance with relevant applicable laws and regulations;

16. *Stresses* the need to address the issue of missing persons as a part of peace and peacebuilding processes, with reference to all justice and rule-of-law mechanisms, including the judiciary, parliamentary commissions and truth-finding mechanisms, on the basis of transparency, accountability and public involvement and participation;

17. *Invites* relevant human rights mechanisms and procedures, as appropriate, to address the problem of persons reported missing in connection with armed conflict in their forthcoming reports to the General Assembly;

18. *Requests* the Secretary-General to submit to the Human Rights Council at its relevant session and to the General Assembly at its seventy-third session a comprehensive report on the implementation of the present resolution, including relevant recommendations;

19. *Also requests* the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations bodies, the specialized agencies, regional intergovernmental organizations and international humanitarian organizations;

20. *Decides* to consider the question at its seventy-third session.